

Board of Zoning Adjustment

Staff Report

March 4, 2019



Case No:	18CUP1152
Project Name:	Short Term Rental
Location:	918 Stone Street
Owner/Applicant:	Joshua Rothschild
Jurisdiction:	Louisville Metro
Council District:	10 – Pat Mulvihill
Case Manager:	Steve Hendrix, Planning & Design Coordinator

REQUEST(S)

Conditional Use Permit to allow short term rental of a dwelling unit that is not the primary residence of the host in an R-5 Zoning District and Neighborhood Form District.

CASE SUMMARY/BACKGROUND

The 0.158 acre site is located in the Audubon neighborhood between Greenup Road and George Rogers Clark Park. The house dates back to 1951. Single family residential uses surrounds the site. The submitted floor plan of the house shows three bedrooms.

The applicant has stated that the total amount of guests will be 10, the amount allowed.

The applicant states that parties will not be allowed.

Transportation has noted that on-site and on-street parking are available.

STAFF FINDING / RECOMMENDATION

Based upon the information in the staff report and the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards established in the LDC for a Conditional Use Permit.

TECHNICAL REVIEW

There are no outstanding technical review items.

INTERESTED PARTY COMMENTS

A neighborhood meeting was held on Sunday, January 6, 2019, with three people in attendance. The applicant states that the people seemed satisfied with the answers to all their questions.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR CONDITIONAL USE PERMIT

1. Is the proposal consistent with applicable policies of the Comprehensive Plan?

STAFF: The proposal does not conflict with Comprehensive Plan policies.

2. Is the proposal compatible with surrounding land uses and the general character of the area including factors such as height, bulk, scale, intensity, traffic, noise, odor, drainage, dust, lighting and appearance?

STAFF: When appropriately managed, the proposed use is compatible with surrounding development and land uses. No exterior construction or alterations to the building or the site will be required.

3. Are necessary on-site and off-site public facilities such as transportation, sanitation, water, sewer, drainage, emergency services, education and recreation adequate to serve the proposed use?

STAFF: The subject property is served by existing public utilities and facilities. The proposal will not create additional requirements for the site.

4. Does the proposal comply with the specific standards required to obtain the requested conditional use permit?

4.2.63 Short Term Rental of a dwelling unit that is not the primary residence of the host in a R-R, R-E, R-1, R-2, R-3, R-4, R-5, U-N, R-5A, R-5B, R-6, R-7 or R-8A district and Short Term Use Permit. In addition to any conditions of approval, a short term rental and its host shall meet the following requirements:

- A. The maximum stay for a guest shall be 29 consecutive days. A dwelling unit rented to the same occupant 30 consecutive days or more is not considered a short term rental.

The applicant has been informed of this restriction.

- B. The dwelling unit shall be limited to a single short term rental contract at a time.

The applicant has been informed of this restriction.

- C. At no time shall more persons reside in the short term rental than two times the number of bedrooms plus four individuals.

The submitted floor plan shows that the residence has three bedrooms, allowing a maximum number of ten guests.

- D. The dwelling unit shall be a single-family residence or duplex. This provision shall not be waived or adjusted.

The applicant has been informed of this restriction.

- E. Food and alcoholic beverages shall not be served or otherwise provided by the host to any guest.

The applicant has been informed of this restriction.

- F. Outdoor signage which identifies the short term rental is prohibited.
The applicant has been informed of this restriction.
- G. There shall be a sufficient amount of parking available for the host and guests, as determined by the Board of Zoning Adjustment. The amount and location of parking shall be based on the land uses and density of the immediate vicinity. Any parking surface that is added to accommodate the short term rental use shall be removed when the short term rental use is terminated.
Parking is provided on site and on the street. Approximately, 3 on site and 2 on the street.
- H. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances.
The applicant has been informed of this restriction.
- I. If the property is subject to two (2) or more substantiated civil and/or criminal complaints, the Board of Zoning Adjustment may revoke the approval pursuant to section 11.5A.6.
The applicant has been informed of this restriction.

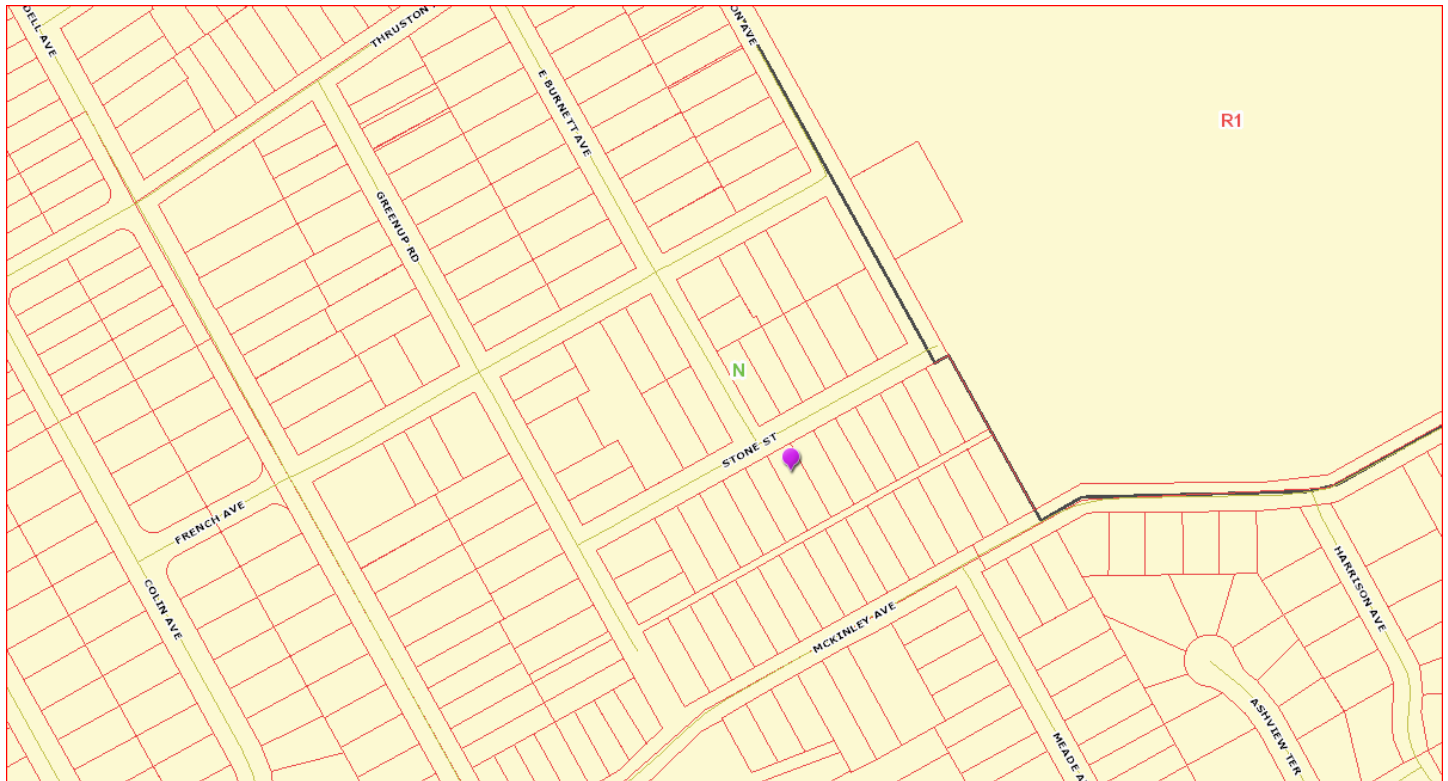
NOTIFICATION

Date	Purpose of Notice	Recipients
2/14/ 2019 2/15/2019	Hearing before BOZA	1 st and 2 nd tier adjoining property owners Registered Neighborhood Groups in Council District 9
2/14/2019	Hearing before BOZA	Sign Posting

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Floor Plan
4. Conditions of Approval
5. Neighborhood Meeting Letter/Minutes
6. Picture

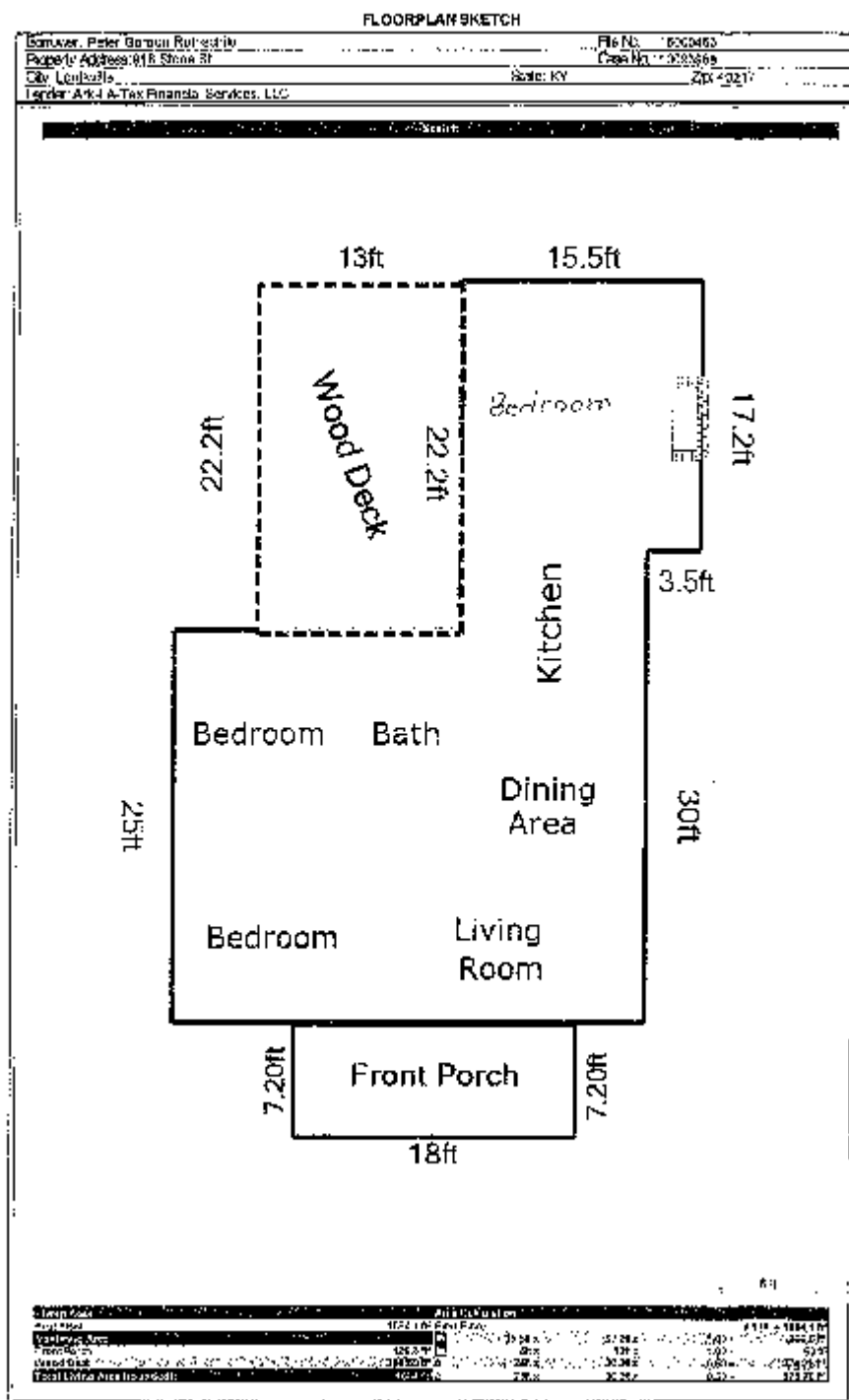
Zoning Map



Aerial Photograph



Floor Plan



Conditions of Approval

1. Prior to commencement of any short term rental on the subject property, the host shall register the short term rental with Develop Louisville and with the Louisville Metro Revenue Commission. If the short term rental is not registered with Develop Louisville and with the Revenue Commission within 60 days of the approval of the minutes of this case, then the Conditional Use Permit shall be deemed null and void.
2. The short term rental and host shall meet all additional provisions set forth in the Louisville Metro Code of Ordinances.

Meeting Summary, Concerns and Proposed Resolutions

The meeting was scheduled for 8:00pm on Sunday, January 6th. I arrived at 7:45. There were three people who arrived at around 8 - Carolyn Hunton, Betty Voltz, and Geoff Diola. Carolyn and Betty live across the street from the property, and Geoff attended on behalf of district 10.

When they arrived, I first showed them around the house. We then discussed the short term rental for about 15-20 minutes. Betty and Carolyn's main concerns were about parties, but they had a few other questions as well. These questions and my answer were as follows:

How will you prevent people from throwing parties?

- I will screen all guests and require guests to have verified accounts and positive reviews from previous stays.
- Require a two-night minimum.
- House rules explicitly prohibit parties.

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What happens in the event of a party?

- Call Josh – I am 13 minutes away and can call them, come to the house to tell them to be quiet, and if necessary, ask them to leave the property.
- They can call the police in the event of an emergency.

How do you control parking?

- Between the driveway and the front of the house, my property can support 3 cars.
- In the house rule book I'm asking people not to park in front of other peoples' properties.
- Betty and Carolyn's main concerns were about when two cars park on opposites sides of the street, thus causing a narrow lane to pass through.

After we talked about short term rentals, the conversation shifted to non-STR related topics (how long they've been in their homes, how they ended up in their homes, etc). We talked for about 45 minutes and everyone left around 9pm.

The three people who attended seemed satisfied with my answers to all their questions. I gave them my contact info, and they agreed to keep an eye out on the property.



Josh Rothschild

'8 GUP 1152

NEIGHBORHOOD MEETING: STR FILING

Date: 1/6/19

Total Attendance: 3

Name	Street Address
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Geoff Wahl DIOLA geoff.wahl@louisvilleky.org

Caralyn Henton 919 Stone Street

Betty Taly 921 Stone Street

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Subject Site

