

1/23/20

Board of Zoning  
Adjustment

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The following document is our Petition from the Neighborhood concerning the Conditional Use Permit Application (19 CUP-0269) of the absentee owners of 2125 Baringer Ave. Louisville Ky, 40204.

The opposition to this Permit being granted is, to our knowledge, unanimous. All adjoining property owners, property owners across from the subject property and other property owners up and down the street do not want 2125 Baringer Ave. converted to short term rental property housing up to 10 people at a time in a 1745 square foot single family dwelling.

We are all owners of single family homes and this would change the

character of our neighborhood forever.

2125 Baringer has always been a single family home and we want it to stay that way to preserve the character of our Neighborhood.

We ask that you please deny this conditional use permit.

Thank You  
Baringer Ave. Residents  
(see petition)

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Metro Development Center  
444 South 5th Street, 3rd Floor  
Louisville, KY 40202

January 6, 2020

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Dear Board of Zoning Adjustment and Staff,

We, the residents and homeowners of Baringer Avenue and the surrounding neighborhood, collectively protest the permit requested for 2125 Baringer Avenue. Many of us attended the meeting held by the property owners to listen to their intentions for the property. Based on their stated intentions and our own additional concerns, we ask that the permit be denied. Our concerns are as follows:

1. Baringer Avenue between Willow Avenue and Cherokee Park is a quiet residential neighborhood. It is protected from commercially-active Bardstown Road by a very long block and Willow Avenue. Baringer is a street and neighborhood of single-family homes or duplexes with long-term residents.

Adding in a short-term rental would drastically change the nature of this historic, residential neighborhood. Baringer Avenue is not a busy thoroughfare or a commercial street. We have occasional dog-walkers but almost no traffic. Residents choose to live and stay here because of the quiet, peace, and community.

2. The current owners of 2125 Baringer are absent investment owners who recently purchased the property after its long-term owner (30+ years) died. They do not live in or near the neighborhood but in Prospect, many miles away and have never lived at the property. They purchased the property at a very high price to flip it and asserted their desire to make money from the sale.

The owners stated that they still intend to sell the property but are waiting for a higher offer than they have received. They stated that they have invested all that they will financially into the house remodel. Potential rentals would serve their business interests.

Considering a permit would attach to the property itself, and not the owners, the neighbors cannot give weight to the current owners assertions about the type of renters they will choose. We have no assurance from an unknown, future owner that renters will be executive renters or otherwise carefully screened. It is quite possible that the current owners are seeking the permit so that they can sell the home with the permit already in place, opening up the house as a regular short term rental for another absent owner. Furthermore, the Board does not appear to allow for further protest for future owners' permits, so we must protect ourselves now.

3. At the neighborhood meeting on December 2, 2019, the absentee owners asserted their desire was to make money from the transaction and expressed no desire to live at the location. They stated they have other business properties and a property manager. The current owners made it clear that this is just another business venture for them. They assumed that the neighborhood is interested in how their business investment may raise property values. To the contrary, this street and neighborhood is our home, chosen for its quiet community, style, and history. The applicants are trying to make a business venture from our home, which we love and carefully tend.

4. The recent remodel moved the kitchen from its natural place at the back of the house to the front. The front has two sets of French doors opening onto the front porch. Noise concerns, above and beyond that from the potential 10 occupants, are exacerbated as the front porch will be a natural, likely loud, gathering place with direct kitchen access.

5. The house is 1700 square feet, making the request for 10 occupants unrealistic and uncomfortable. Considering the small house, it is likely that occupants will gather outside for space.

6. The request for 10 occupants gives rise to parking concerns. After work in the evenings, the street is generally full from the current residents.

7. Louisville continues to focus on business and event development. The neighborhood is concerned that with the growing number of music festivals and events with a party-atmosphere and liquor-fueled center, any rental would likely draw attendees to these events and festivals. We are not in a commercial area. We do not want these parties to spill over into our peaceful neighborhood.

8. Allowing the former family residence to become short term rental property with non-resident, absentee owners essentially changes this location into a multiple family rental property in the midst of long-established single-family residences.

Above all, we are concerned that a short-term rental would radically change our home. We do not want this change, particularly when it comes from outsiders with no interest in the neighborhood or its residents.

Please deny the permit.

Thank you.

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Name

Address

Date

Susan Anderson Allen

2128 Baringer Ave 40204

1/10/20

Elgin L. Crull

2128 Baringer Av. 40204

1/10/20

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Name

Address

PLANNING & DESIGN SERVICES Date

Bernadette Hunkley	2135 Baringer Ave 40204	1/10/2020
William NUNLEY	2135 BARINGER AVE 40204	1-10-2020
Mary Anne Ryan	2059 Eastern Parkway	1/13/2020
William Andrew Patterson	2121 Baringer Ave 40204	1/13/20
O Lee Cove	2121 Baringer Ave 40204	1/13/20
Tom Cumber	2118 Baringer Ave 40204	1/14/20
Eric C. Sellers	2130 Baringer Ave. 40204	1/14/2020
Ther Sellers	2130 Baringer Ave. 40204	1/14/20
Jonny Crane	2118 Baringer Ave 40204	1/14/20
Wendy Michamp	2129 Baringer Ave 40204	1/15/20
W.H. Gentry	2129 Baringer Ave. 40204	1/15/20
Fred McCall	2132 Baringer Ave 40204	1/17/20
Shun B. Mault	2132 Baringer Ave 40204	1-17-2020
Liz Syabek	2061 Eastern Pkwy 40204	1-18-2020
Luzi Syabek	2061 EASTERN PKWY 40204	1-18-2020
Mary Ann McDaniel	2063 Eastern Pkwy	1-18-2020
Terry McDaniel	2063 EASTERN PKWY	1-18-2020
Mike Behn	2144 Baringer Ave	-18-2020
ANN TAKEM	2144 BARINGER AVE	1-18-2020
Jeffrey A Bau	2151 Baringer Ave	1-18-2020
John C. B.	2122 Baringer Ave.	1-21-2020
Theresa J. Damm	2122 Baringer Ave.	1-21-2020



Name

Address

Date

David Eugene Clark 2119 Banning Ave 01/22/20

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**Crumbie, Jon**

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**From:** Bernadette <bernadettenunley@gmail.com>  
**Sent:** Tuesday, January 28, 2020 11:34 AM  
**To:** Crumbie, Jon  
**Subject:** Re: 2125 Baringer Avenue 19-CUPPA-0228

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Dear Mr. Crumbie,

I write in protest of the CUPPA application for 2125 Baringer Avenue. I am deeply concerned about the long term effects of a short term rental with an absentee owner on our street.

Our block of Baringer is extremely quiet, community-minded, caring, and well-buffered from commercial properties. We take good care of each other and our homes. A short term rental on this block would radically change our stable community by burdening us with commercial activity and a transitory, tourist element.

The applicant is not concerned about our neighborhood over the long term and only cares about making money off their purchase. The current absentee owners flipped their property and appear to be underwater. Despite receiving two strong offers (at the time of the neighborhood meeting) to purchase the house, they are holding out for a full priced offer. The house is priced too high. The remodeling does not fit the home or the neighborhood. The current owners have not kept up the landscaping (there is currently a dead tree in the parking strip and they put in bushes over the summer that died because they were not watered). In short, they made purchase and remodeling decisions contrary to a neighborhood that draws people who want to preserve and enjoy the neighborhood style and who want strong community.

The owners have stated they seek a permit to protect their business interests. They claimed their flip raised local property values, which they said we in the neighborhood all want. They asserted they will screen renters and are focusing on longer term executive renters. Neighbors expressed significant concerns: we live here and they are planning to run a business in our home; their permit would allow for 10 occupants without a plan for mitigating parking issues; and they could not explain how they would screen renters. None of us could understand why this location would be attractive to executives. In addition, I understand the permit remains with the house and suspect the owners seek a permit both to earn money while they wait for a sale and to pass along to a buyer who would then use the house ONLY for short term rentals. In short, I cannot trust the owners' stated intentions and their assumptions do not fit my interests. They do not live in our neighborhood and they have no long term stake in what happens in our home.

Another concern related to CUPPAs in general is the displacement of long term renters. Louisville is still a wonderful place to live that is not suffering from a major housing shortage. I appreciate the diversity of residents in my neighborhood, including our long term renters. This permit would make one less property available for a permanent resident or long term renters who actually contribute to our residential community.

One other major issue for this CUPPA and others in Cherokee Triangle is the historic overlay, which greatly limits the changes we can make to our properties. I support historic preservation in Louisville because of the steady, community-oriented decision-making it provides and requires. Preservation is a demand on owners, and owners must respect it for it to work well. This absent owner applicant does not care about preserving our neighborhood. There is great dissonance when a neighborhood is protected and preserved by a historic

overlay and restrictions if Metro government also allows a renovation flip that radically changed the home and a CUPPA by an absent investment owner.

Please deny the permit.

Thank you for your work,

Bernadette Dieker Nunley  
2135 Baringer Avenue

On Fri, Dec 20, 2019 at 9:17 AM Bernadette <[bernadettenunley@gmail.com](mailto:bernadettenunley@gmail.com)> wrote:  
Got it--thank you very much for your response.

On Fri, Dec 20, 2019 at 8:01 AM Crumbie, Jon <[Jon.Crumbie@louisvilleky.gov](mailto:Jon.Crumbie@louisvilleky.gov)> wrote:

You have to have more reasons that we don't want them in the neighborhood. Everyone goes with that. Why don't you want them in the neighborhood and how is it affecting you and your property. That is my opinion.

Thanks,

**Jon E. Crumbie**

Planning & Design Coordinator

Planning & Design Services

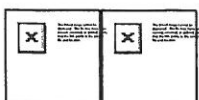
Department of Develop Louisville

*LOUISVILLE FORWARD*

444 South 5<sup>th</sup> Street, Suite 300

Office: 502.574.5158

<https://louisvilleky.gov/government/planning-design>





**Crumbie, Jon**

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**From:** Eric S <eric.sellers356@gmail.com>  
**Sent:** Monday, January 27, 2020 12:31 PM  
**To:** Crumbie, Jon  
**Cc:** Eric Sellers  
**Subject:** 2125 Baringer Ave./40204 - Oppose the Proposed Re-Zoning to Short-Term Rental

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Mr. Jon Crumbie,

I am writing you to express my strong opposition to changing the existing zoning for 2125 Baringer Ave./40204 to allow short-term rental designation. In large part I purchased and moved to Baringer Avenue in 2018 because of the protections that the current zoning afforded. The problems that short-term rentals bring such as destruction of property, increased noise, parking access, etc. fundamentally change the character of our historic district. We already have too many of these types of short-term rentals in proximity to this proposed property. The current owners of this property apparently purchased at too high of a price and invested too much money into it with the now failed intention to quickly flip it. Now that they have not been able to realize a quick sale, they want it re-zoned permanently to short-term rental. I do not think that I should be penalized as a permanent resident, in terms of potential problems and lower property value, because of their short-term bad business decision. I want to maintain the character of our historic neighborhood by discouraging such short-term behavior by absent owners and encouraging long-term residents to continue to invest and live in our historic district.

Please help me fight this short-term trend and preserve our commitment to long-term investment living by maintaining the current zoning protections that I purchased into and live in - I urge you to work to decline the short-term permanent rental re-zoning petition for 2125 Baringer Ave.

I will continue to be involved in opposition to this proposal and follow the process very closely with a vested interest.

Thank you for your help.

Regards,

Eric A. Sellers  
2130 Baringer Ave.  
Louisville, KY 40204

**Crumbie, Jon**

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**From:** Wendy Niekamp <wniekamp@twc.com>  
**Sent:** Sunday, January 26, 2020 4:16 PM  
**To:** Crumbie, Jon  
**Cc:** 'Wendy Niekamp'  
**Subject:** 2125 Baringer Avenue

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Dear Mr. Crumbie,

I am writing you regarding the proposed AirBnB at 2125 Baringer Ave. I live immediately next door to the house. There is approximately 12 feet between my house and 2125. My master bedroom is on the first floor and on the side of the proposed AirbBnB. This is a quiet residential street and the thought of having 10 people on the front porch or back deck, on vacation whether they are here for the Bourbon Trail experience, a concert, a wedding, there is going to be noise and drinking especially allowing up to 10 people in what is really a 3 bedroom home. I am currently undergoing chemotherapy treatments and have been spending many a day and night in my bedroom recovering. The noise level that could occur by approving this is very disturbing to me.

I have lived in this home for 20 years. Most of these homes have front porches where our neighbors like to spend time on nice days or evenings reading, enjoying a quiet relaxing evening after work, saying hi to neighbors. It is not a party neighborhood. With AirBnB guests you never know what you're getting. I feel that approving this would greatly disrupt our quality of life. This is why we chose to live here. A quiet street with little traffic.

Parking is also a major concern. I always park in the front of my house. This involves me carrying groceries into the front of the house. If I have to park several houses down it is a major inconvenience especially now that I have a major health issue.

I have toured 2125 Baringer and it is not a large home. The current owners consider the basement to be a bedroom. The other 3 bedrooms are not large at all. At most, that house would accommodate 5 to 6 people and certainly too small of a house for that many people who might be looking at the house to purchase. The new kitchen is now in the front of the house with double doors leading to the front porch thus more opportunity for potential renters to flow outside and do their drinking there.

Any approvals would drastically change the character of our neighborhood. I am **vehemently opposed** to the approvals of this home as an AirBnB.

Wendy Niekamp  
2129 Baringer Ave.

## Crumbie, Jon

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**From:** Susan Crull <crullandcrull@icloud.com>  
**Sent:** Sunday, January 26, 2020 4:09 PM  
**To:** Crumbie, Jon  
**Subject:** 2125 Baringer Ave

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Mr . Crumbie:

I am providing the following for inclusion in the file concerning 2125 Baringer Ave, in advance of the February 3 hearing .

My name is Susan Crull; my husband and I have lived at 2128 Baringer Ave . for almost 24 years . I oppose the Petition of the owner of 2125 Baringer Ave to have it rezoned as a short term rental property or Airbnb.

The owner states they still intend to sell the property, but since it has been on the market in the fall of 2019, they have had only one open house and I have seen very few people looking at the house . If their request is granted, once they furnish it for use by renters, they will not be very motivated to sell it.

In January 1975 the Cherokee Triangle was designated a preservation district and according to the book Cherokee Triangle, The Heart of the Highlands by Samuel W. Thomas, this designation was sought by residents concerned when more and more of the stately homes in the area were being subdivided into apartments , or torn down to build new apartment buildings that changed the character of the older neighborhood.

Some of the concerns the residents voiced with the increase in non-owner occupied residences were instability of the neighborhood, the viability of the neighborhood as it had always been as a predominantly single family dwelling area and the concern that the absentee owners and the renters would have no stake in the neighborhood.

They were concerned all this could result in properties not being kept up as they should be, more cars parking on already crowded streets , increased noise and the inability to get absentee property owners to timely remedy unlawful and nuisance conditions.

Another concern was the possible decrease in property values if the unkempt properties discouraged prospective buyers or resulted in homes selling for less than they might otherwise. I would not buy a house I knew had an Airbnb in close proximity.

So now we are taking a giant leap backwards by allowing non-resident owners with no stake in the Cherokee Triangle to rent out their property to people who have even less of a stake in the character of the neighborhood, in keeping the property clean or in maintaining a relationship with neighbors.

The owners of 2125 Baringer live in Prospect, have never lived in this house or the Cherokee Triangle, do not intend to live in this house or the Cherokee Triangle—they simply want to make money. I do not begrudge them making money , but not at the expense of my neighborhood.

Please deny their Petition.  
Thank you , Susan Crull

Sent from my iPhone

## Crumbie, Jon

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**From:** Crull And Crull <crullandcrull@aol.com>  
**Sent:** Sunday, January 26, 2020 4:05 PM  
**To:** Crumbie, Jon  
**Subject:** 2125 Baringer ave.40204 conditional use permit

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I want to notify the Board of Zoning Adjustment that I strongly oppose the conversion of 2125 Baringer ave.40204 To a short term rental unit.I live directly Across from this single family home (23yrs).  
The current owner , who does not live there ,bought the home to "flip" it, put a whole lot of money into rehab, and has been unsuccessful in selling it. It is way over priced . The owner has no interest in our neighborhood and has stated she just wants to sell the property.

Renting this 1745 square house to up to 10 People at a time for short periods with no resident owner turns this house into a boarding house in the midst of single family homes. It permanently changes the character of our neighborhood. Please deny this conditional use permit.

Elgin L Crull  
2128 Baringer Ave  
Louisville Ky.  
502 541-5083

Sent from my iPhone

**Crumbie, Jon**

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**From:** Maudlin, Brad <brad.maudlin@kroger.com>  
**Sent:** Sunday, January 26, 2020 7:18 PM  
**To:** Crumbie, Jon  
**Subject:** Opposition to conditional use permit - 2125 Baringer Avenue 40204

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Mr. Crumbie,

I would like to express my opposition to the conditional use permit application of the absentee owners of 2125 Baringer Avenue, Louisville Ky, 40204.

My residence is 2132 Baringer Avenue and both my wife and I oppose converting the property to a short term rental that could potentially house up to 10 people in a 1745 square foot single family dwelling. This would undoubtedly damage the character of our neighborhood, and certainly decrease the value of our home.

I ask that you deny this conditional use permit.

Thank you,

Brad Maudlin  
2132 Baringer Avenue  
Louisville KY 40204  
Cell: 502-742-9952

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**Crumbie, Jon**

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**From:** Laura Maudlin <lauramaudlin@icloud.com>  
**Sent:** Sunday, January 26, 2020 7:11 PM  
**To:** Crumbie, Jon  
**Subject:** Opposition to conditional use permit — 2125 Baringer Avenue 40204

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Mr. Crumbie,

I would like to express my opposition to the conditional use permit application of the absentee owners of 2125 Baringer Avenue, Louisville Ky, 40204.

My residence is 2132 Baringer Avenue and both my husband and I oppose converting the property to a short term rental that could potentially house up to 10 people in a 1745 square foot single family dwelling. This would undoubtedly damage the character of our neighborhood, and certainly decrease the value of our home.

I ask that you deny this conditional use permit.

Thank you,

***Laura Maudlin***  
***[lauramaudlin@icloud.com](mailto:lauramaudlin@icloud.com)***  
***(502)-724-2423***

**Crumbie, Jon**

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**From:** Marc Zakem <zakemm55@gmail.com>  
**Sent:** Monday, January 20, 2020 6:06 PM  
**To:** Crumbie, Jon

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I am emailing to voice my concern about the proposed Air BnB on Baringer Avenue. While I often use Air BnBs while traveling, I am alarmed at the idea of a ten person occupancy Air BnB in this quiet residential neighborhood, especially when the landlords live approximately 30 minutes away and cannot police the renters, who can easily go above the listed occupancy in numbers and add to parking congestion and noise in the area. Thank you for your consideration in this matter.

Marc Zakem  
2144 Baringer Avenue

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Sent from Gmail Mobile

**Crumbie, Jon**

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**From:** Bernadette <bernadettenunley@gmail.com>  
**Sent:** Wednesday, December 18, 2019 12:33 PM  
**To:** Crumbie, Jon  
**Subject:** 2125 Baringer Avenue 19-CUPPA-0228

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Dear Mr. Crumbie,

I attended the recent neighborhood meeting for this applicant. I am extremely concerned about the application and intend to protest permit issuance to the property owner.

How are neighbor concerns weighted in the determination to issue a permit? Can you point me to the ordinance or rules that explain how neighbor concerns affect permit issuance?

Also, I'm wondering if a permit is issued, does it stay with the property or with the original permit applicants? Can you also point me to the ordinance or rule language that clarifies this point? The property owners state that they continue to try to sell the house, and my concerns are even greater if the permit will remain with the property and therefore any new property owners.

Thank you for your work and I look forward to hearing from you,  
Bernadette Nunley  
2135 Baringer Avenue

The property owner, Amanda King is applying for a short-term rental at 2125 Baringer Ave Louisville, KY 40204. The property is not the primary residence of the applicant in an R-5B zoning.

The property holds 4 bedrooms and 3 bath which all the dwelling units can be rented.

This is not the property owners' primary job but does have a 24hour a day 7 day a week property manger on staff located less than 10 minutes away if any issue occurs.

Parking was a primary issue with the neighbors and have assured them no more than 2 cars will be allowed to park and be issued parking permits. The property also has a 2-car garage fit for 2 small cars or 1 large SUV.

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