

# Board of Zoning Adjustment

## Staff Report

June 15, 2026



<b>Case No:</b>	26-APPEAL-0001
<b>Project Name:</b>	Appeal of Citation
<b>Location:</b>	3004 Cleveland Blvd
<b>Owner(s):</b>	Osman Sufi
<b>Representative:</b>	Osman Sufi
<b>Jurisdiction:</b>	Louisville Metro
<b>Council District:</b>	9 – Andrew Owen
<b>Case Manager:</b>	Jay Lockett, AICP, Planning Supervisor

### REQUEST(S)

- **Appeal** of a citation for permitting multiple simultaneous contracts for a single short term rental unit

### CASE SUMMARY

A citation was issued on February 4, 2026, upon a finding that the subject property was being rented to more than one guest contract at a time. The citation in part relies on the method in which the property is listed/advertised on Airbnb and an analysis of multiple customer reviews on AirBNB.com which indicate that guests were staying in a private room with other unrelated guests in separate private rooms and sharing facilities such as kitchen and bathrooms. (ENF-ZON-26-000142)

The property is zoned R-5 in the Neighborhood form district and is registered as an owner-occupied short-term rental, with an active license issued on 8-11-25. (LIC-STL-25-00834).

The Appellant filed an appeal of the citation issued on February 4, 2026. The appeal was filed within 30 days of issuance of the citation therefore, it is a timely appeal.

### STAFF ANALYSIS/FINDINGS

#### LDC 4.3.23 Short Term Rentals

Short Term Rentals may be permitted in a dwelling that is the primary residence of the owner in accordance with this section. LDC 4.3.23.B states the dwelling unit shall be limited to a single short term rental contract at a time.

#### Inspection Results:

A review of customer reviews on AirBNB.com revealed multiple references from 2023 through 2025 indicate that the space was being rented to multiple contracts at once. Example guest review comments:

“...was a bit unexpected how many people would be sharing the bathroom.” Allie, September 2023

“Private room with a lively shared kitchen and bathroom.” Abigail, September 2023

“The place...felt private despite the potential for housemates. Individual key locks on the bedroom doors.” Hannah, December 2023

“Even though other guest share the space, everyone stays to themselves.” Kj, July 2024

“The other occupants were super respectful and kept to themselves” Michael, October 2024

“I felt awkward using the kitchen because there are long term renters there it seems.” Bastian, July 2025

“if you’re OK with staying with multiple other parties, this is the perfect spot for you.” Bethany, September 2025

“Parking was a little confusing...because of one of the other guests.” Meredith, September 2025

### Appellant’s Basis of Appeal:

The Appellant’s appeal includes the following statements in support of overturning the citation:

I applied for and operate under an owner-occupied STR registration. By definition this means the owner resides in the dwelling. Guests sometimes rent a private room while I am present in the home, which naturally results in shared common areas such as a kitchen or living space. The listing occasionally offers the entire home when permissible, but the majority of bookings involve a room rental while I occupy the residence. Therefore, guest reviews referencing shared spaces are not evidence of a violation - they are consistent with and confirm owner occupancy, which is specifically allowed under the owner occupied STR registration category.

*Staff Response:* The reviews refer to “other guests,” “long-term renters,” and “other occupants” while separately indicating communicating with “The host” or “Osman” about a variety of other issues while staying in the home.

### **STANDARD OF REVIEW**

Pursuant to LDC 11.7.3 and KRS 100.257, the BOZA shall have the power to hear and decide cases where it is alleged by the applicant that there is error in any order, requirement, decision, grant, or refusal made by an administrative official in the enforcement of the zoning regulation.

The Board must determine if an error was made in the issuance of the Citation dated February 4, 2026.

### **STAFF CONCLUSIONS**

It is unknown how often the dwelling unit is simultaneously rented to multiple contracts in violation of LDC 4.23.B and LMCO 115.520.B. The violation depends in part on opportunity. On Airbnb.com, separate listings allow rental of each bedroom independently or the entire dwelling. A violation occurs when separate parties rent each bedroom independently at the same or overlapping timeframes. Customer reviews indicate that it is a regular occurrence for multiple years leading up to the issuance of the citation. The way the host is referred to consistently separately from “other guests” etc. indicate to staff that the violation has occurred multiple times, leading to issuance of the citation.

The property is also required to be the primary residence of the owner. It is unknown how often the owner resides in the residence and whether or not he in fact shares the dwelling with guests. The owner also serves as the host. While the owner may contend that he was the other party staying in the dwelling, the comments refer to other “guest” or “guests” and not the host. It is not typical or common to refer a host as another guest. Airbnb rental records, which could confirm or dispute the violation, have not been provided.

If the decision is upheld, the property owner is subject to the fine as indicated in the citation. In addition, the property would be subject to an additional penalty in the LMCO that prohibits the STR from being reregistered for one year after the date of the citation.

In review of the appellant's basis of appeal and other information with the record, no error was made in determining that the property has been regularly rented to multiple contracts. Staff recommends that the Board deny the appeal.

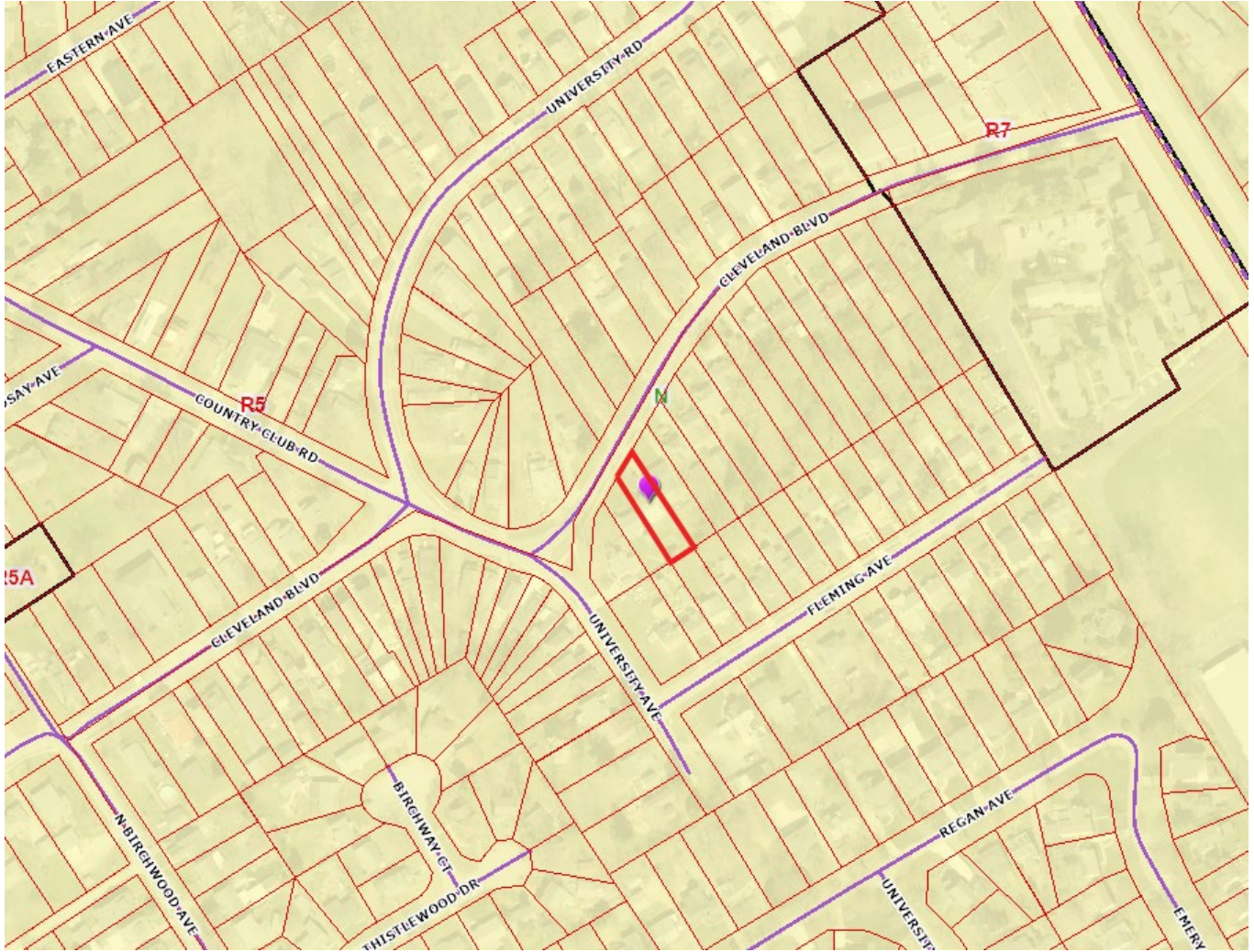
**NOTIFICATION**

Date	Purpose of Notice	Recipients
5-7-26	Hearing before BOZA	Legal Advertisement
5-29-26	Hearing before BOZA	Appellant Registered Neighborhood Groups in Council District 9

**ATTACHMENTS**

1. Zoning Map
2. Aerial Photograph

1. **Zoning Map**



2. Aerial Photograph

