

6.

Request:

Project Name: Carol Jean Court Short Term Rental

Location:

Applicant:

Representative:

Jurisdiction:

Council District:

Case Manager:

Board of Zoning Adjustment

Staff Report

April 21, 2025



Case No:	25-CUP-0057
Project Name:	Carol Jean Court Short Term Rental
Location:	1314 Carol Jean Court
Applicant:	Brandon & Alyssa Wood
Representative:	Brandon & Alyssa Wood
Jurisdiction:	Louisville Metro
Council District:	15 – Jennifer Chappell
Case Manager:	Zach Schwager, Planner I

REQUEST

- **Conditional Use Permit** to allow short term rental of a dwelling unit that is not the primary residence of the owner (Land Development Code 4.2.63)

CASE SUMMARY

The applicant has requested a conditional use permit (CUP) for a short term rental that is not the primary residence of the property owner in a R-5 Residential Single Family zoning district and Traditional Neighborhood form district. The property is located on the south side of Carol Jean Court west of Taylor Boulevard between Huntoon Avenue and Olmsted Drive. The site is developed with a single-family residential structure on approximately 0.14 acres with two (2) bedrooms allowing a maximum of six (6) guests. There is off-street parking for up to five (5) vehicles.

STAFF FINDING

The proposal is adequately justified for approval based on staff's analysis contained in the standard of review and meets all standards of the conditional use permit for short term rentals.

TECHNICAL REVIEW

- Land Development Code (4.2.63)
 - 4.2.63 states that a short term rental in the R-5 zoning district that is not owner occupied requires a conditional use permit
 - There are no short term rentals approved via conditional use permit within 600' of the subject site at the time of this report

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: The proposal is 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 since no changes to the exterior of the property are being proposed which reduce compatibility with the area.

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: 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 are available.

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

A short term rental of dwelling unit that is not the primary residence of the owner or the short term rental of a condominium unit that is the primary residence of the owner 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; Short Term Rental of a dwelling unit that is not the primary residence of the owner or a condominium unit that is the primary residence of the owner that is in a OR, OR-1, or OR-2 district and a TN form district; and Short Term Rental of any dwelling unit in a TNZD district. 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 for 30 consecutive days, or more is not considered a short term rental.
- B. The dwelling unit shall be limited to a single short term rental contract at a time.
- C. At no time shall more persons reside in the short term rental than two times the number of bedrooms plus two individuals, except where the registered property is in excess of two acres in which case the occupancy limit shall be two times the number of bedrooms plus six individuals. If the aforementioned occupancy allows for more than 12 individuals, that shall be a maximum of 12 persons over the age of 16. The Board may further restrict the number of individuals. Relief to this provision may be provided by the Board on a case-by-case basis if the applicant can demonstrate that a greater occupancy will be in compliance with life safety and occupancy standards and the short term rental is of a sufficient distance to not adversely impact a neighboring property.
- 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 the nearest property line) to any property (i) on which another approved short term rental that required a conditional use permit is situated or (ii) located in an OR, OR-1, or OR-2 district and a TN form district which has an active registration and has maintained an active registration prior to the effective date of this provision and it has not been conclusively proven to the Board that the holder of the registration is the owner of the property, and the property is the owner's primary residence. Relief to this provision may be provided by the Board on a case-by-case basis for the following reasons; however relief may be denied upon consideration of the other factors and the burden is on the applicant to demonstrate that the subject short term rental would not contribute to an

overconcentration of short term rentals in the immediate area and/or adversely affect the affordable housing stock in the immediate area.

(1) Reasons for Potential Relief:

(a) The Property is adjacent to nonresidential zoning districts that allow short term rentals by right

(b) There is a significant environmental feature or primary collector or higher classification road that separates the proposed short term rental from other short term rentals within the buffer area

(c) A short term rental property within the buffer area is located on the perimeter of the buffer area, with part of the property being located outside of the buffer area

(d) A neighborhood plan encourages and supports short term rentals in the subject area

In applications where the entire area encapsulated by the 600 foot buffer is residentially zoned (including TNZD areas mapped Neighborhood General), under no circumstance shall the Board provide relief to this provision in cases in which two or more short term rentals with conditional use permits are already in existence within 600 feet.

(2) The following exceptions to this separation requirement apply:

(a) The separation requirement shall not apply to a property on which the conditional use permit is conditioned that the owner acts as host and maintains their primary residency within another dwelling unit in the same building or on the same parcel of land.

(b) The separation requirement shall not apply between two or more short term rentals on a single property being reviewed under the same conditional use permit application. However, if the property is subdivided after the conditional use permit is granted, a new conditional use permit shall be required in order for any new lot(s) to have a short term rental, with the separation requirements applying to that subsequent application.

(c) The separation requirement shall not apply to a property in the TNZD district on which the conditional use permit is conditioned that the host shall maintain their primary residency within the dwelling unit.

E. The building in which the dwelling unit is located shall be a single-family residence, duplex, or condominium. If the short term rental is a condominium unit in a multi-family building, the condominium unit must be the primary residence of the owner. All conditional use permit applications for the short term rental of a condominium unit shall include evidence showing the applicable condominium association has taken action to approve the short term rental of the subject condominium. The evidence shall be provided in the form of minutes from an officially called meeting of the applicable condominium association board where in all condominium would be discussed and a majority of the board members voted in favor of permitting/allowing the short term rental of the subject condominium. In addition to notification required by Chapter 11 Part 5A, an applicant for a short term rental within a condominium shall provide notice of the Conditional Use Permit public hearing to all condominium owners within the association. Proof of notification shall be by way of affidavit. This provision shall not be waived or adjusted.

- F. Food and alcoholic beverages shall not be served by the host to any guest.
- G. Outdoor signage which identifies the short term rental is prohibited in residential zoning districts.
- H. There shall be a sufficient amount of parking available for 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.
- I. The short term rental and host shall meet all additional requirements set forth in the Louisville Metro Code of Ordinances.
- J. If the property is subject to two (2) or more substantiated civil and/or criminal complaints within a twelve (12) month period, the Planning Director may revoke the registration pursuant to section 4.3.23. When the Planning Director revokes an approved registration, staff shall schedule a public hearing for the Board to consider revoking the associated conditional use permit. The Board may also revoke the conditional use permit for other reasons pursuant to section 11.5A.6.
- K. Prior to commencement of any short term rental on the subject property, the host shall register the short term rental pursuant to the Louisville Metro Code of Ordinances. If the short term rental is not registered within thirty (30) days of the issuance of the conditional use permit, the permit shall become null and void. In order to commence short term rentals, a new conditional use permit must be granted if required by this Land Development Code.
- L. An active registration for the short term rental, as required by the Louisville Metro Code of Ordinances, shall be maintained. No short term rentals may take place unless the registration is active and in the name of the current host and property owner. If the registration is not renewed and lapses for thirty (30) days, or in the event of a change of ownership and/or host, a new registration is not issued within thirty (30) days from the date of the change, the conditional use permit shall become null and void. In order to recommence short term rentals, a new conditional use permit must be granted if required by this Land Development Code, and such conditional permit must satisfy the applicable requirements for a conditional use permit in effect at the time the new application for a conditional use permit is filed.

Staff: The applicant has demonstrated or will be required to provide compliance with each of the lettered standards of the conditional use permit.

REQUIRED ACTIONS:

- **APPROVE** or **DENY** the **Conditional Use Permit** to allow short term rental of a dwelling unit that is not the primary residence of the owner (Land Development Code 4.2.63)

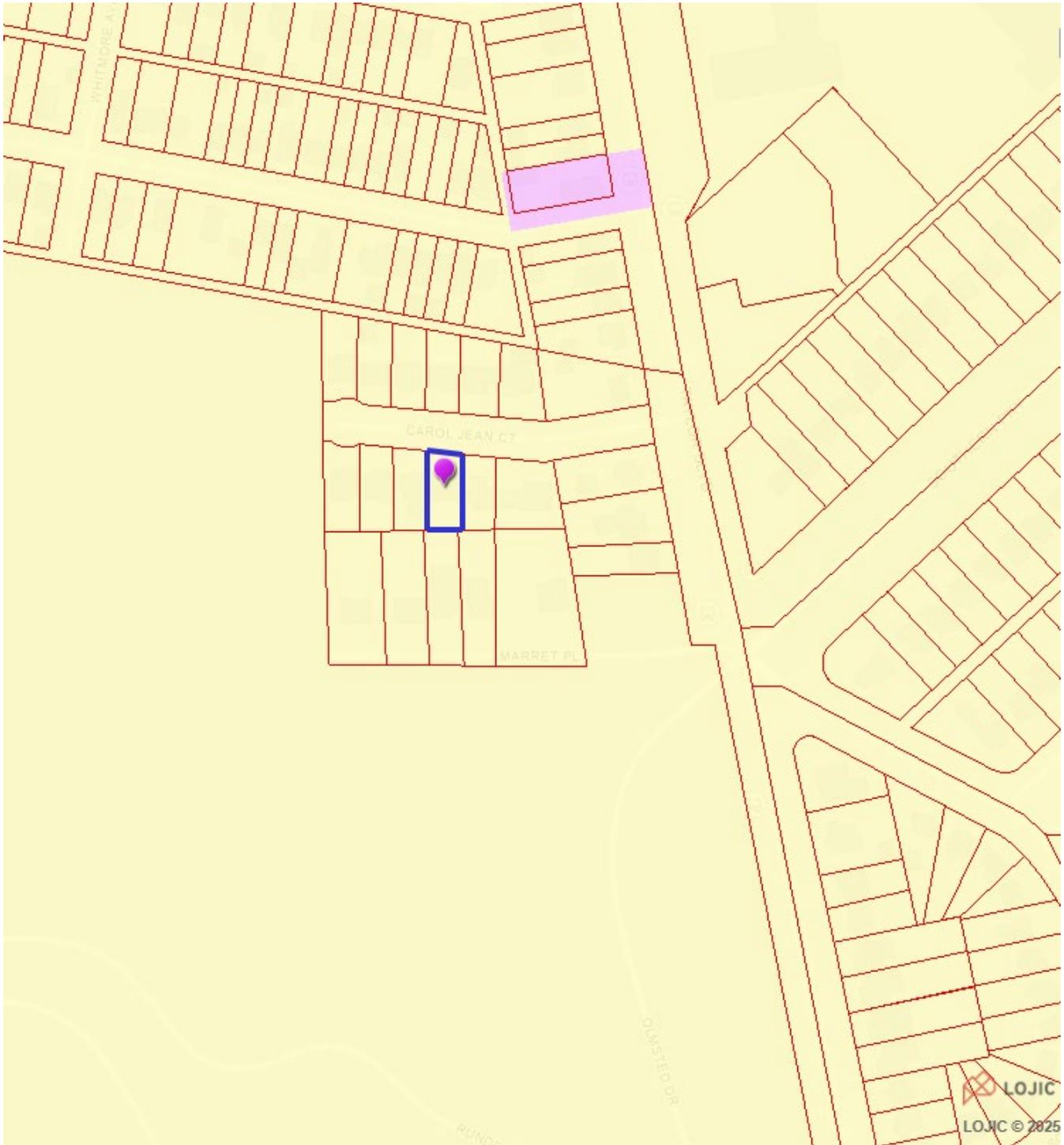
NOTIFICATION

Date	Purpose of Notice	Recipients
4/7/2025	Hearing before BOZA	1 st and 2 nd tier adjoining property owners and residents
4/1/2025		Registered Neighborhood Groups in Council District 15
4/7/2025	Hearing before BOZA	Sign Posting

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Proposed Conditions of Approval

1. Zoning Map



2. Aerial Photograph



3. Proposed Conditions of Approval

1. The conditional use permit for this short term rental approval shall allow up to two (2) bedrooms with a maximum of six (6) guests at any one time. Prior to use, bedrooms must meet all occupancy requirements set forth in Louisville Metro Code of Ordinances. A modification of the conditional use permit shall be required to allow additional bedrooms/guests.

2. Prior to the commencement of any short term rental on the subject property, the owner shall register the short term rental pursuant to the Louisville Metro Code of Ordinances. If the short term rental is not registered within thirty (30) days of the issuance of the conditional use permit, the permit shall become null and void.

Gerhardt (Brandon) & Alyssa Wood

1314 Carol Jean Ct. Louisville, KY 40215

(859) 200-6358

brandonandalyssawood@gmail.com

March 14, 2025

Dear Louisville Metro Office of Planning,

We appreciate the opportunity to submit this application for a Conditional Use Permit to operate a short-term rental at 1314 Carol Jean Ct as a non-owner-occupied property. We are excited about the potential to provide high-quality, temporary accommodations for visitors to Louisville and look forward to contributing positively to the local tourism economy.

The property in question is a single-family home where the entire dwelling will be available to guests, including two designated bedrooms for short-term rental use. As experienced short-term rental operators, we have successfully managed another property in the city since the Spring of 2023. That property has received outstanding guest reviews, and we have maintained a high level of hospitality, safety, and compliance with all local regulations.

Professionally, my husband, Brandon, works in the tech industry, and I work in social media marketing. We both take great pride in managing our rental properties responsibly and ensuring they meet the highest standards for guest experience and neighborhood harmony. We live nearby, within approximately 7-8 miles (a 10-15 minute drive), allowing us to personally manage the property and respond promptly to any issues that may arise.

Prior to submitting this application, we participated in the required neighborhood meeting. While no neighbors attended the meeting, we took the initiative to speak directly with the immediate neighbors next to the property. They expressed their full support for our short-term rental plans and reassured us that the broader neighborhood shares a welcoming and positive outlook toward the decision. Additionally, they offered their assistance in welcoming guests and ensuring a friendly and hospitable environment.

We understand the importance of maintaining peaceful residential communities while accommodating visitors to our city. As such, we are committed to enforcing strict house rules, being readily available for guest concerns, and ensuring that our rental maintains the character and integrity of the neighborhood. We believe that granting this permit will allow us to continue providing exceptional accommodations while respecting the local community.

We sincerely appreciate your time and consideration of our application. Please do not hesitate to reach out if you require any additional information. We look forward to your favorable review of our request and the opportunity to contribute positively to Louisville's vibrant tourism economy..

Thank you for your time and consideration.

Sincerely- Brandon & Alyssa Wood

RECEIVED

MAR 19 2025

OFFICE OF PLANNING

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75-CUR-0051

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75-7110-054

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MAR 19 2025

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25-10-2025

NOTICE OF DEVELOPMENT APPLICATION FILED WITH
OFFICE OF PLANNING
NEIGHBORHOOD MEETING NOTIFICATION

Feb. 17, 2025

To the Adjoining Property Owners, Neighborhood Group Representatives expressing interest in this area and Metro Councilperson for the 15th District.

A Conditional Use Permit application to provide a non- owner-occupied short term rental at the address below was filed with the department of Louisville Metro Office of Planning on Jan. 16, 2025.

ADDRESS: 1314 Carol Jean Ct. Louisville, KY 40215
CASE NO: 25-CUPPA-0012
CASE MANAGER: Jude Mattingly
CASE MANAGER EMAIL: jude.mattingly@louisvilleky.gov
COUNCIL DISTRICT: 15 – Jennifer Chappell
APPLICANT: Gerhardt Wood & Alyssa Wood

In accordance with the procedures of Louisville Metro Office of Planning, we have been directed to invite you to discuss this proposal before a formal application can be filed. This will be an informal meeting to give you the opportunity to review the proposed plan and discuss the proposal with the applicant or its representative. We encourage you to attend this meeting and to share your thoughts. This meeting will be held in addition to the established public meeting procedures of the Planning Commission and/or the Board of Zoning Adjustment.

The meeting to discuss this application will be held on:
DATE: March 4, 2025 @ 6pm
LOCATION: Iroquois Library- 601 W Woodlawn Ave, Louisville, KY 40215

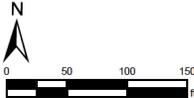
Gerhardt & Alyssa Wood are the primary point of contact for any questions or comments. Any questions or comments received will be incorporated into the meeting record. The contact information is below:

Name: Gerhardt (Brandon) Wood & Alyssa Wood
Email: brandonandalyssawood@gmail.com

If you have questions about this application, or would like to view the case file, please visit <http://louisvilleky.gov/government/planning-design> or contact Louisville Metro Planning & Design Services at:

Metro Development Center
444 S 5th St, 3rd Floor
Louisville, KY 40202
(502) 574-6230

Subject Site:



25-CUPPA-0012 Map

Tuesday, February 4, 2025 | 11:02 AM



LOJIC © 2025

This map is not a legal document and should only be used for general reference and identification.

Gerhardt (Brandon) & Alyssa Wood

1314 Carol Jean Ct. Louisville, KY 40215

(859) 200-6358

brandonandalyssawood@gmail.com

March 14, 2025

Dear Louisville Metro Office of Planning,

We participated in the required neighborhood meeting at Iroquois Library on March 4, 2025 at 6pm and stayed until 7:10pm. No one showed up, so our attendance sheet is blank, which is why we did not submit it.

While no neighbors attended the meeting, we took the initiative to speak directly with the immediate neighbors next to the property who mentioned that they received the notice, as well as other neighbors and all decided it was unnecessary to attend.

They expressed their full support for our short-term rental plans and reassured us that the broader neighborhood shares a welcoming and positive outlook toward the decision. Additionally, they offered their assistance in welcoming guests if needed and ensuring a friendly and hospitable environment.

We hope this shows the support we have received from the surrounding neighbors in the community and that you consider granting us this permit. Thank you for your time.

Respectfully,

Gerhardt (Brandon) & Alyssa Wood