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Request:

Project Name: E. Indian Trail Short Term Rental

Location:

Applicant:

Representative:

Jurisdiction:

Council District:

Case Manager:

Board of Zoning Adjustment

Staff Report

April 21, 2025



Case No:	25-CUP-0066
Project Name:	E. Indian Trail Short Term Rental
Location:	4122 E. Indian Trail
Applicant:	Christopher & LaTina Hill
Representative:	Krystian Coatley
Jurisdiction:	Louisville Metro
Council District:	2 – Barbara Shanklin
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-4 Residential Single Family zoning district and Neighborhood form district. The property is located on the east side of E. Indian Trail between Poplar Level Road and Ilex Avenue. The site is developed with a single-family residential structure on approximately 0.38 acres with two (2) bedrooms allowing a maximum of six (6) guests. There is off-street parking for up to eight (8) 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-4 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)

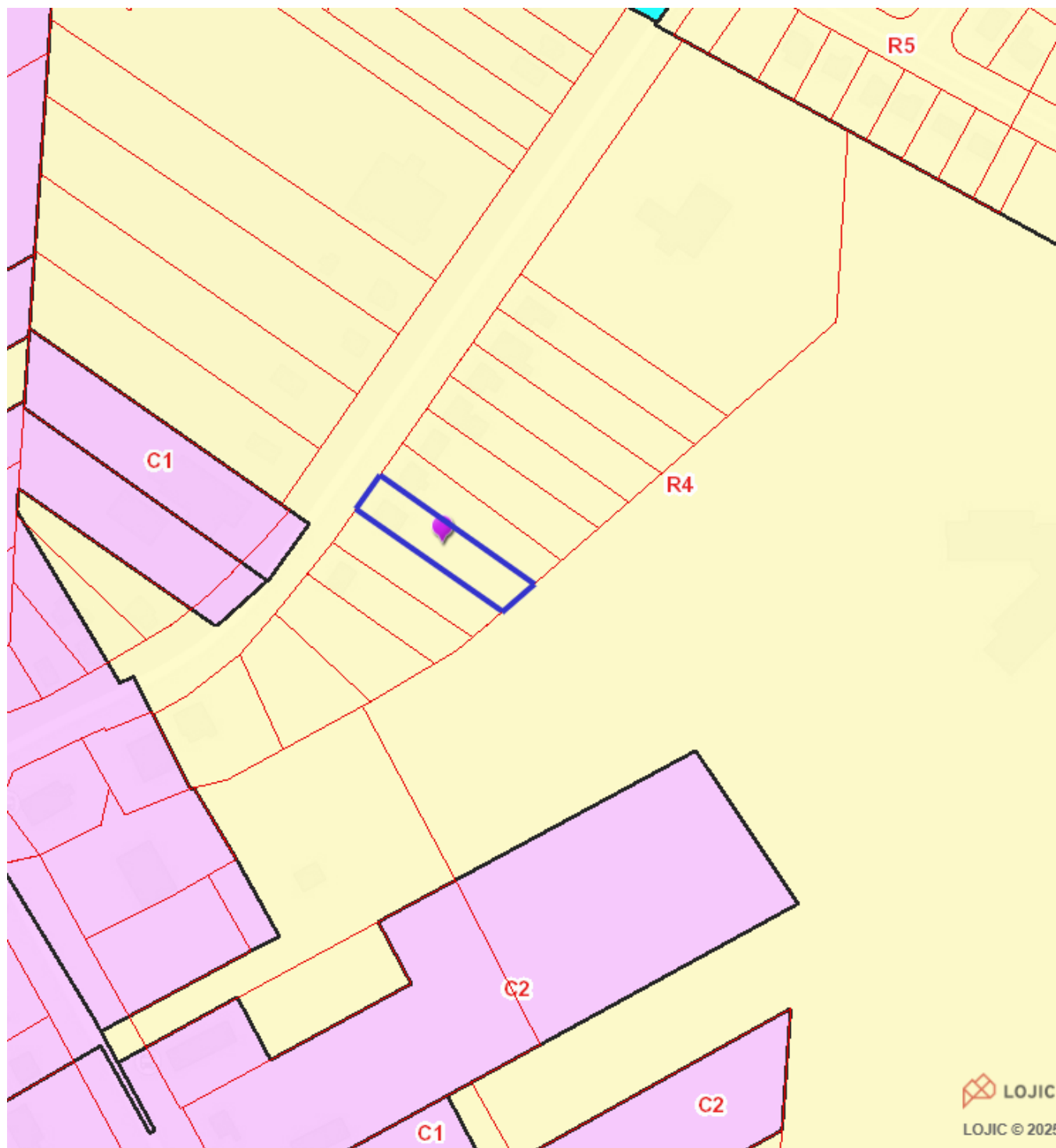
NOTIFICATION

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

Letter of Explanation for Commercial Use Permit

To: Louisville Metro Government

From: Christopher or LaTina Hill

Property Address: 4122 E. Indian Trail, Louisville, KY

Date: March 20, 2025

Dear Permit Review Committee,

I am writing to formally request approval for a **Commercial Use Permit** for my property located at **4122 E. Indian Trail, Louisville, KY**. My intent is to utilize the dwelling as both a **long-term and short-term rental** to provide housing accommodations for residents and visitors in compliance with local regulations.

Property Details & Intended Use

The property is a **two-bedroom, two-bathroom dwelling** that will be rented in its entirety. The residence will be offered as a long-term rental for tenants seeking stable housing and as a short-term rental for guests visiting Louisville. This dual-use model will help support housing demand in the area while ensuring responsible and regulated rental operations.

Compliance with Local Zoning & Regulations

I have reviewed the zoning requirements and rental regulations set forth by the City of Louisville and will ensure that the property meets all necessary conditions. I will comply with **any licensing, tax, and operational requirements** for short-term rentals as mandated by city ordinances.

Neighborhood Impact & Tenant Management

To ensure the rental's operation does not disrupt the community, I will implement the following measures:

- **Noise control policies** to prevent disturbances
- **Strict guest screening and rental agreements** for responsible use
- **Property maintenance and regular inspections** to uphold safety and cleanliness
- **Clear communication with neighbors** to address any concerns proactively

Parking & Traffic Considerations

The property includes **adequate parking** to accommodate tenants and guests, preventing overflow onto public streets. Additionally, guest instructions will emphasize compliance with local traffic and parking regulations to minimize any impact on the surrounding area.

Safety & Building Code Compliance

The dwelling will meet or exceed all **building and safety code requirements**, including the installation of:

- **Smoke detectors and carbon monoxide alarms**
- **Fire extinguishers in key areas**
- **Secure entry systems for tenant safety**
- **Routine property inspections to maintain structural integrity**

I appreciate your time in reviewing my application and am happy to provide any additional information necessary to facilitate the approval process. Please feel free to reach out at your convenience.

Thank you for your consideration.

Sincerely,

Christopher or LaTina Hill

(202) 445-5881/5838

CHillnLa98@gmail.com

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

Today's Date 02/24/2025

To the Adjoining Property Owners, Neighborhood Group Representatives expressing interest in this area and Metro Councilperson for the 2nd 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 12/04/2024

ADDRESS: 4122 E Indian Trail,

Louisville, Ky 40213

CASE NO: 24- CUPPA-0271

CASE MANAGER: Jude Mattingly

CASE MANAGER EMAIL: jude.mattingly@louisvilleky.gov

COUNCIL DISTRICT: 2

APPLICANT: Krystian Coatley

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: 03/12/2025 @ 6:00pm

LOCATION: Newburg Branch Library

4800 Exeter Ave, Louisville, Ky 40218

Krystian Coatley is 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: Krystian Coatley

Email: krystiancoatley@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:

Summary of Meeting

4122 E Indian Trail

Meeting Date: March 12, 2025

There was only one household that showed up to the meeting. The Wilburn's Lawrence and Georgia.

Summary of Meeting

4122 E Indian Trail

Meeting Date: March 12, 2025

There was only one household that attended the meeting: the Wilburns, Lawrence and Georgia. The Wilburns expressed a neutral stance regarding the proposed short-term rental in the neighborhood. They showed interest in the rental model for their own home. Their attendance was primarily driven by concerns that the property might be converted into a commercial establishment, such as a restaurant or automotive service. However, they did not express any opposition to the Conditional Use Permit (CUP). The Lawrence's were neutral in regards to there being a short term rental in the neighborhood. The actually were interested in the rental model for their own home. They only came because they were concerned the home would be turned into a true commercial property like a restaurant or car of some sort. The did not oppose the CUP at all.

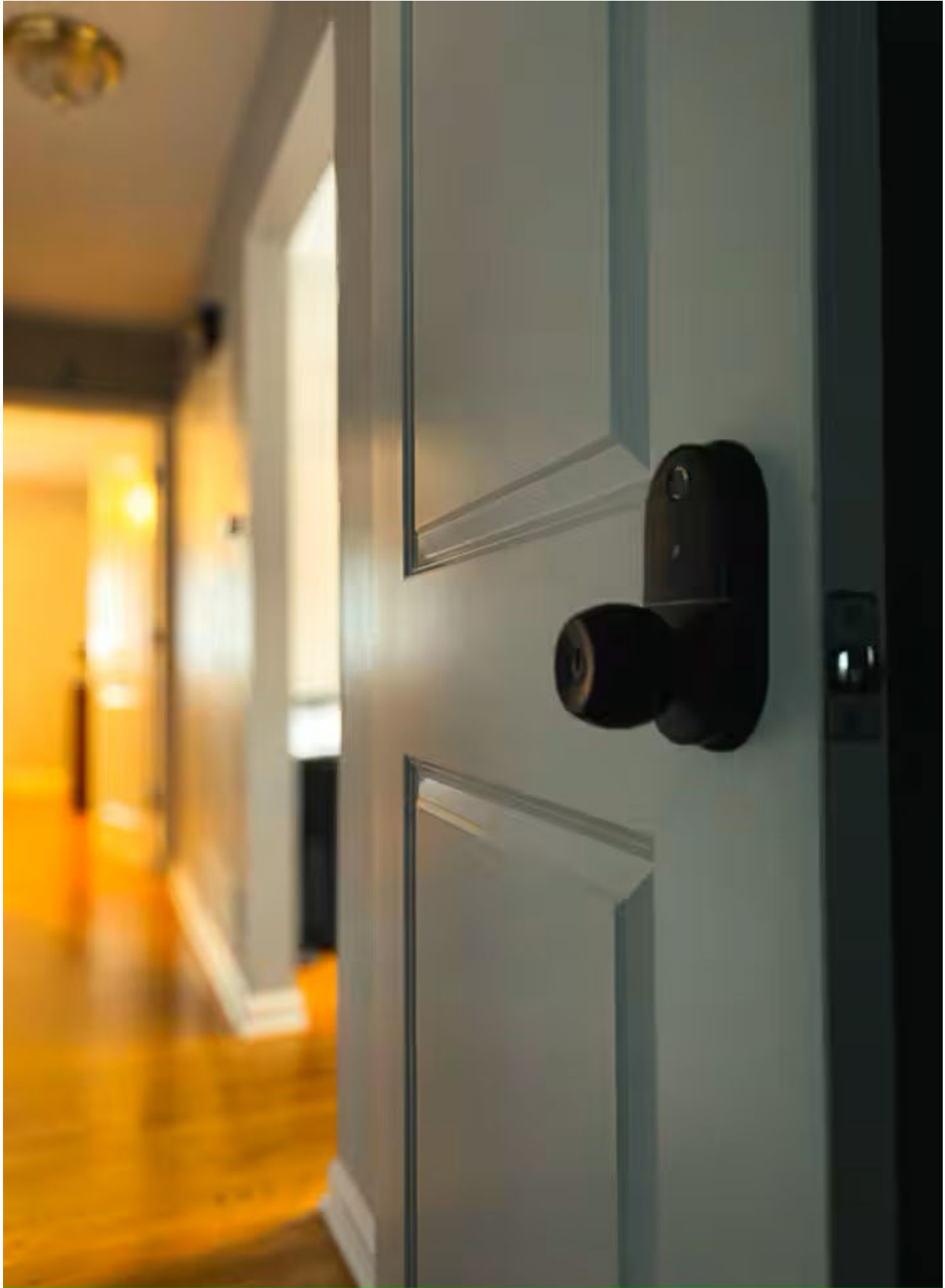
BEDROOM #1



BEDROOM #1



BEDROOM #1



BEDROOM #1



BEDROOM #1



BEDROOM #2



BEDROOM #2



BEDROOM #2



BEDROOM #2



BEDROOM #2

