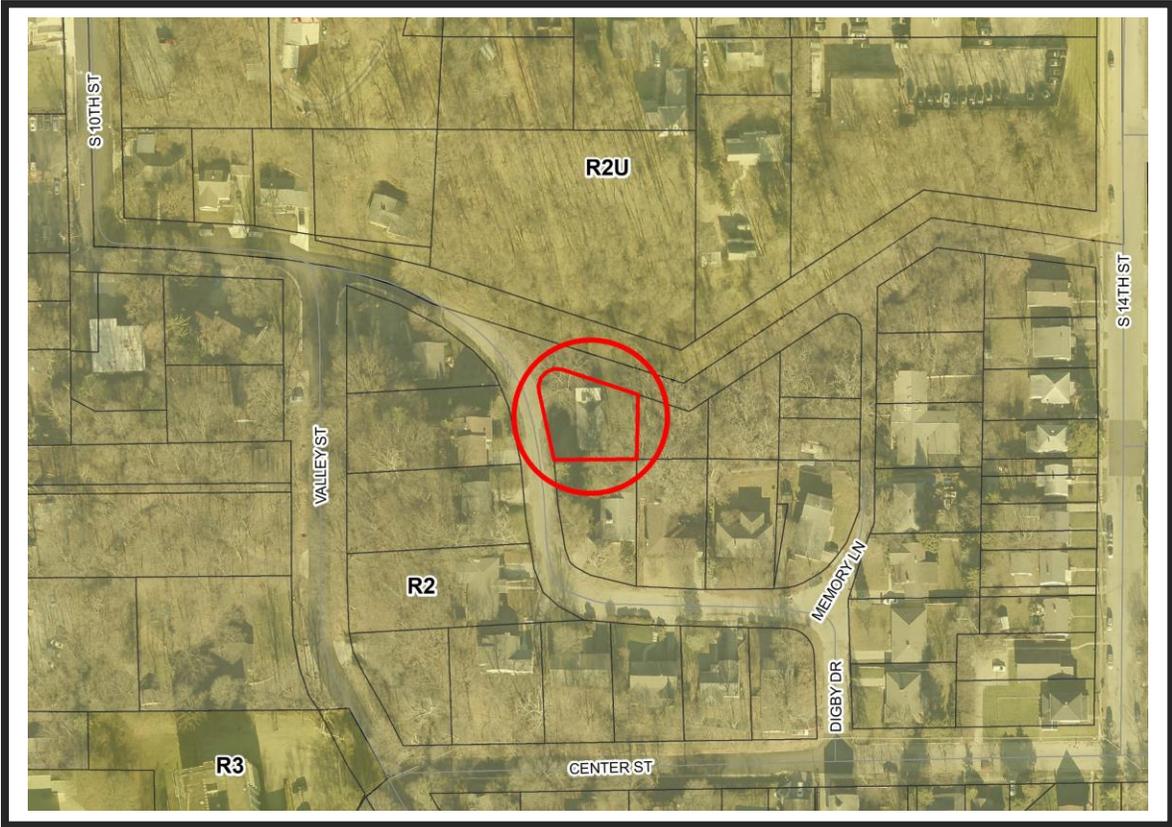
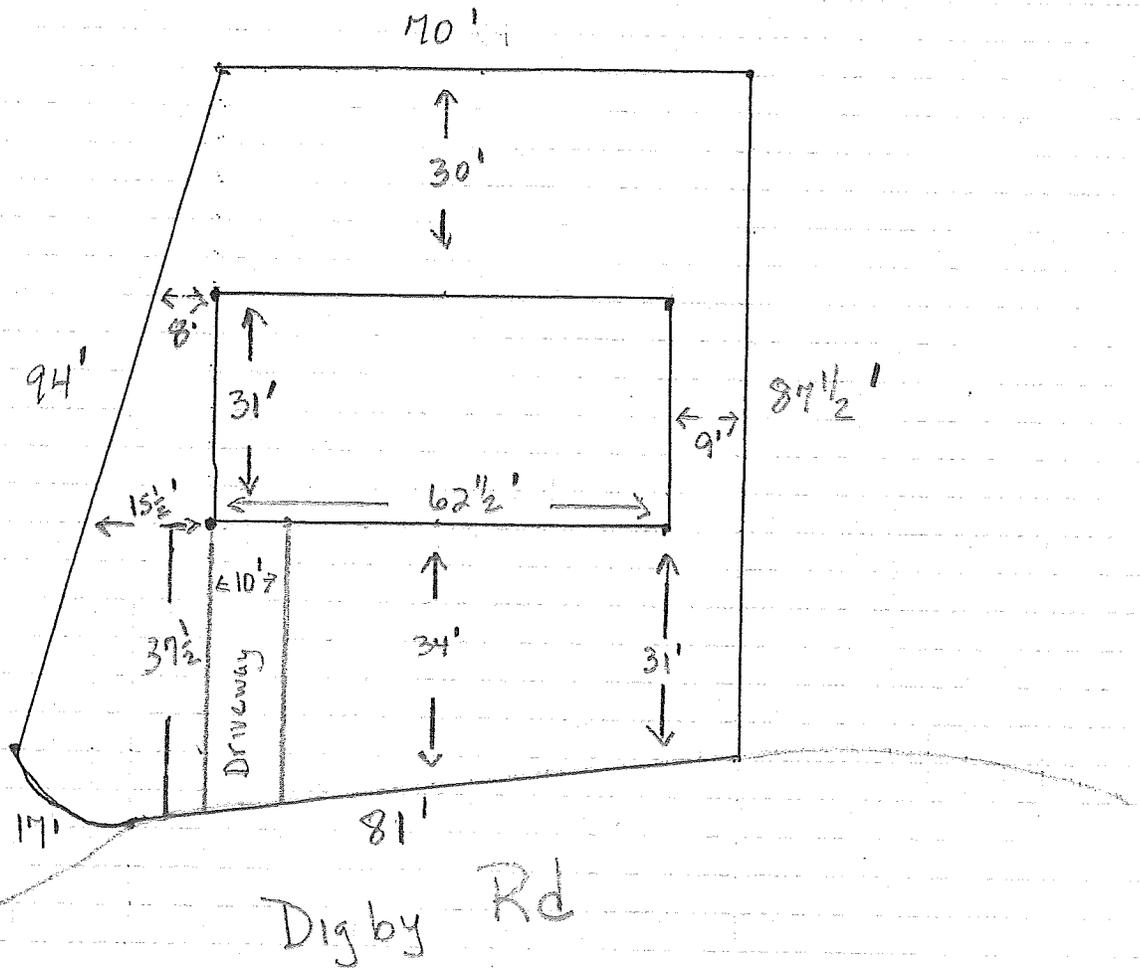

**BZA-2027
SCOTT JONES
(special exception)**

**STAFF REPORT
November 27, 2019**



107 Digby Rd.
Lafayette, IN 47905

Building Coverage 30%
Vegetative Coverage 65%
Driveway 5%



Digby Rd



Scale 1:300

BZA-2027
SCOTT JONES
Special Exception

Staff Report
November 27, 2019

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is the managing member of SW Ventures, LLC (property owner), is requesting a special exception for a Transient Rental House (as defined in the ordinance) on an R2 zoned corner lot in the Valley Center Neighborhood. The short-term rental business would operate in the existing single-family residence, 24 hours a day, seven days a week. The property is located at 107 Digby Drive, Lafayette, Fairfield 28 (NW) 23-4.

AREA ZONING PATTERNS:

The property in this request along with the adjacent lot to the south, east and across Digby Drive to west are zoned R2 (Single-Family and Two-Family Residential). R2U zoning exists to the north. Recently, two special exception requests for a transient guest house, farther south and southwest of the subject property, were approved by the Board (BZA-2013 and BZA-2024).

AREA LAND USE PATTERNS:

The site has a single-family residence with an attached garage. A variety of both single-family and two-family residential uses exist in the Valley Center neighborhood. Various non-residential uses like the Haan Mansion Museum of Indiana Art, the Fowler House Mansion, and the Art Museum of Greater Lafayette are located nearby.

TRAFFIC AND TRANSPORTATION:

The site has frontage only from Digby Drive which is classified as an urban local by the adopted *Thoroughfare Plan*. A platted, but never improved portion of Alabama Street exists to the north.

The parking standard for a Transient Rental House is 2 spaces per dwelling unit. The site plan shows a 37' long driveway, which can accommodate 2 parked vehicles. In addition to this, one space is also available in the attached garage.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

City utilities serve the site.

STAFF COMMENTS:

Petitioner is seeking a special exception to use the existing 1,521 sq. ft. structure as a Transient Rental House (a type of short-term rental use where the building does not have to be owner-occupied). According to the Assessor's office, the dwelling unit, with a one-car attached garage, was built in 1957.

The site plan shows the house with a 31-foot setback from Digby Drive. A 10-foot wide driveway shows access to the attached garage. The existing structure meets the ordinance

requirements for an R2 zone.

The petition does not specify the proposed number of adults allowed to stay in the dwelling unit. The subject property has three bedrooms. As per the ordinance a dwelling unit can only house a family which is defined as "one or more persons related by blood, marriage or adoption and not more than two unrelated persons living as a single housekeeping unit." Therefore, the single-family home in this request must adhere to this "family" definition while in operation.

No outdoor lighting is proposed for this use. As required by the ordinance, the petitioner is not proposing any signage on site nor any change to the exterior of the dwelling that would lessen its appearance as a residence. If this request is granted, the petitioner is required to apply for a permit from the Administrative Officer (Lafayette City Engineer) to operate a Transient Rental House.

Predominately residential neighborhoods can be overwhelmed by the increase in the number of transient rental houses which can change the character of the surrounding area significantly. However, with only one transient rental in this neighborhood, and two others several blocks to the south and southwest, staff is not concerned about the drastic change in the residential neighborhood character quite yet.

At its meeting on November 20, 2019, the Area Plan Commission voted that granting this request will not substantially adversely affect the *Comprehensive Plan*.

Regarding the ballot items:

1. Section 3.1 of the Unified Zoning Ordinance **DOES** authorize the special exception for a Transient Rental House (as defined in the ordinance) in the Single-Family and Two-Family Residential zoning district.

And it is staff's opinion that:

2. The requirements and development standards for the requested use as prescribed by the Unified Zoning Ordinance **WILL** be met. The site plan meets the R2 zone requirements for lot coverage, vegetative coverage, parking, building height and building setbacks. Furthermore, no change is proposed to the existing structure for this use.
3. Granting the special exception **WILL NOT** subvert the general purposes served by the ordinance because the property would still be used as a rental property for one family.
4. Granting the special exception **WILL NOT** materially and permanently injure other property or uses in the same district and vicinity because of the following:
 - a. Traffic generation: The traffic generated due to this use would be no different than other homes in this neighborhood because the house will be rented to one family at a time;
 - b. Placement of outdoor lighting: No additional lighting is proposed;

- c. Noise production: Noise associated with one-family renting these units for a short term in a residential neighborhood would be similar to other homes in the area;
- d. Hours of operation: 24 hours a day, 7 days a week is the same as any other residential use in the surrounding neighborhood.

STAFF RECOMMENDATION:

Approval with the following condition:

Condition

1. An operational permit must be obtained from the City of Lafayette for the Transient Rental House.

Note: A special exception approval ceases to be valid if the use is not established (**open for business**) within one year of the date that the special exception was granted.