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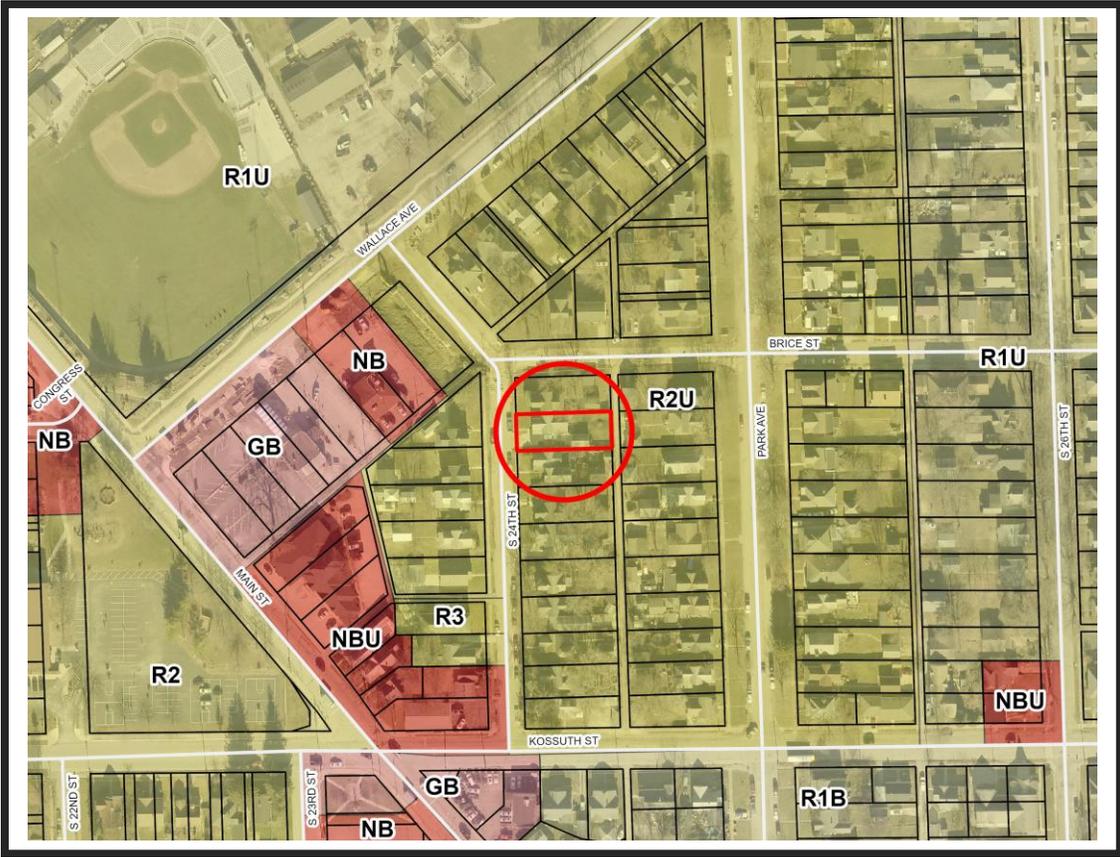
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**BZA-2029  
MARK SHISLER  
(special exception)**

**STAFF REPORT  
January 16, 2020**

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**Special Exception**

**Staff Report**  
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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner, who is also the owner, is requesting a special exception to use an existing single-family house as a **Transient Guest House** (as defined in the ordinance). The proposed hours of operation are 24 hours a day, seven days per week. The R2U-zoned property is located at 607 S. 24th Street, Lafayette, Fairfield 28 (NE) 23-4. (UZO 3-2)

**AREA ZONING PATTERNS:**

This property is currently zoned R2U. The site was rezoned from R2 as part of the Columbian Park Neighborhood rezone in 2002; this case, Z-2095, established the neighborhood's urban zoning classifications. The 1968 zoning map for Lafayette shows the property zoned R2.

**AREA LAND USE PATTERNS:**

This property has a single-family home with three bedrooms. It is surrounded by single-family homes on all sides. This neighborhood has been established well over 100 years. The home is a block away from Columbian Park. In the immediate area there are a few duplexes, small multi-family structures, and local businesses.

**TRAFFIC AND TRANSPORTATION:**

The house fronts 24<sup>th</sup> Street, which is classified as an urban local road by the adopted *Thoroughfare Plan*. There are two parking spaces on site and a detached garage. The driveway is accessed from the front of the lot which is uncommon for homes along 24<sup>th</sup> Street; most neighboring properties have access to parking and garages from the alley in the rear.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

This site is served by city sewer and water.

**STAFF COMMENTS:**

Petitioner is seeking a special exception to use the existing 1,304 sq. ft. single-family home as a Transient Guest House (a type of short-term rental use where the building does not have to be owner-occupied). The site plan shows the house with a 21' setback from the sidewalk along South 24th Street. A 16' wide by 73' long driveway is located between the road and a detached garage. Also located on site is a fenced rear yard. The existing structure meets the ordinance standards for the R2U zone.

The petition does not specify the proposed number of adults allowed to stay in the

dwelling unit. The subject property has three bedrooms according to the petitioner. As per the ordinance, a dwelling unit can only house one 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.

The existing porch lighting is not being increased in this request but the option to add additional rope lighting during the holiday season is mentioned in the petition. As required by the ordinance, the petitioner is not proposing 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 receive a permit from the Administrative Officer (Lafayette City Engineer) to operate a Transient Guest House.

Predominately residential single-family neighborhoods can be overwhelmed by the increase in the number of transient rental houses which can change the character of the surrounding area. In fact, the Columbian Park Neighborhood Plan mentions concerns about the decline of home ownership in 2002. One of the objective stated in the plan was to encourage owner-occupancy in the neighborhood. In this case staff will not try to quantify how many Transient Guest Houses are appropriate in a neighborhood; the special exception hearing is the community's chance to voice its opinion about this use and how it affects the neighborhood and it's adopted plan.

At its meeting on January 2, 2020 the Executive Committee of the Area Plan Commission voted that granting this request would not substantially adversely affect the Comprehensive Plan.

Regarding the ballot items:

1. Section 3.2 of the Unified Zoning Ordinance **DOES** authorize the special exception for a Transient Guest House in the R2U 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 R2U 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. The existing single-family home will only be permitted to rent to one family. No additional units can be created that are not mentioned in the application and shown on the site plan.
4. Granting the special exception **WILL NOT** materially and permanently injure other property or uses in the same district and vicinity because of:
  - a. Traffic generation: The traffic generated due to this use would be no different than the permitted uses currently allowed in this zone;

- b. Placement of outdoor lighting: No additional lighting is proposed;
- c. Noise production: Noise associated with one-family renting this unit for a short term in a residential neighborhood is the same as other single-family 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.

S. 24th St.

SIDEWALK

SIDEWALK

611 S. 24th

130'

CONCRETE DRIVEWAY  
16'x73' (to sidewalk)

607 S. 24th St.

HOUSE

21'

21.6"

5'

20'

603 S. 24th

to top

GARAGE  
16'x24'

to top

Cement Pool

approx 10'x20'

Fenced Back Yard

30'

50'

ALLEY

