To reduce the front setback from CR 350 E to 4
To reduce the side setback from the southern property line to 4
To reduce the side setback from the northern property line to 5
To decrease the minimum lot width to 42.5
To reduce the side setback from the northern property line to 4
To reduce the vegetative coverage to 23.4% from the minimum requirement of 30%;
To decrease the front setback along Grant Street to 25
To eliminate the requirement of a
To increase the height of the structure to 22
To reduce the off
To increase the coverage by all buildings to 11.5% from the maximum allowed 10%
To reduce the off
To reduce the side setback from the southern property line to 4

THE AREA BOARD OF ZONING APPEALS
OF TIPPECANOE COUNTY

NOTICE OF PUBLIC HEARING

DATE: AUGUST 28, 2019
TIME: 6:00 P.M.
PLACE: COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

AGENDA

I. APPROVAL OF PREVIOUS MEETING MINUTES

Documents:

BZA 07.24.2019.PDF

II. NEW BUSINESS

III. PUBLIC HEARING

1. BZA-2018 RALPH AND SHIRLEY LINDER:
   Petitioners are requesting the following variances to legitimize their existing single-family house and construct a new front porch in an AW zone:
   
   1. To reduce the front setback from CR 350 E to 4’ from the minimum requirement of 40’; (UZO 2-26-7) and
   2. To increase the coverage by all buildings to 11.5% from the maximum allowed 10% (UZO-2-26-6)-Withdrawn

   on property located at 8507 S 350 E in the unincorporated town of Concord, Lauramie 02 (SE) 21-4. Continued from the July meeting due to insufficient paperwork.

   Vote Results 6-Yes and 0-No

   Documents:

   BZA-2018.PDF
2. **BZA-2019 TOMISH DEVELOPERS, LLC:**

Petitioner is requesting the following variances to raze the existing structure and construct a new two-story student apartment in an R3W zone:

1. To decrease the minimum lot width to 55.16’ from the minimum requirement of 70’; (UZO 2-10-6)
2. To reduce the side setback from the northern property line to 4’-3” instead of the minimum requirement of 6’; (UZO 2-10-10)
3. To reduce the off-street parking to 5 from the minimum requirement of 10 spaces for university-proximate residences; (UZO 4-6-4)
4. To reduce the side setback from the southern property line to 4’-3” from the minimum requirement of 6’; (UZO 2-10-10) and
5. To decrease the front setback along Grant Street to 25’ from the minimum requirement of 60’; (UZO 2-10-8)

on property located at 418 S. Grant Street, West Lafayette, Wabash 19 (SE) 23-4.

*Continued from the July meeting to add a variance.*

**Vote Results:**
1) 6-Yes and 0-No
2) 6-Yes and 0-No
3) 6-Yes and 0-No
4) 6-Yes and 0-No
5) 6-Yes and 0-No

Documents:

BZA-2019.PDF

3. **BZA-2020 BARRY KNECHTEL-KJG ARCHITECTURE, INC.:**

Petitioner is requesting the following variances to raze the existing structure and construct a new student apartment in an R3W zone:

1. To decrease the minimum lot width to 42.5’ from the minimum requirement of 70’; (UZO 2-10-6)
2. To reduce the side setback from the northern property line to 5’1” instead of the minimum requirement of 6’; (UZO 2-10-10)
3. To reduce the side setback from the southern property line to 4’ from the minimum requirement of 6’; (UZO 2-10-10)
4. To eliminate the requirement of a 5’ no parking setback along the south property line; (UZO 4-4-6)
5. To increase the height of the structure to 22’ from the maximum allowed 14’ at the finished floor of the upper story; (UZO 2-10-11)
6. To reduce the vegetative coverage to 23.4% from the minimum requirement of 30%; (UZO 2-10-7) and
7. To reduce the off-street parking to 9 from the minimum requirement of 10 spaces for university-proximate residences; (UZO 4-6-4) Withdrawn

on the property located at 234 Marstellar Street, West Lafayette, Wabash 19 (SE) 23-5.

*Continued from the July meeting at petitioner's request.*

**Vote Results:**
1) 6-Yes and 0-No
2) 6-Yes and 0-No
3) 6-Yes and 0-No
4) 6-Yes and 0-No
5) 6-Yes and 0-No
6) 6-Yes and 0-No
4. BZA-2023 LINDA SIGLER:
Petitioner is requesting a special exception to use an existing single-family home as a Transient Guest House (as defined in the ordinance) in an R1B zone. The proposed hours of operation are 24 hours a day, seven days per week. The property is located on the east side of Rochelle Drive, just north of Holly Drive in the Southlea Addition to Lafayette (east of Armstrong Park), more specifically, 929 Rochelle Drive, Lafayette, Wea 04 (NW) 22-4. (UZO 3-2) **WITH CONDITIONS.**

**Vote Results 6-Yes and 0-No**

Documents:

BZA-2023 (SPECIAL EXCEPTION).PDF

IV. ADMINISTRATIVE MATTERS

V. ADJOURNMENT
The Area Board of Zoning Appeals of Tippecanoe County public hearing was held on the 24th day of July 2019 at 6:00 P.M., pursuant to notice given and agenda posted as provided by law.

In the absence of President Steve Clevenger, Gary Schroeder called the meeting to order.

I. APPROVAL OF MINUTES

Jen Dekker moved to approve the minutes from the June 26, 2019 BZA public hearing. Carl Griffin seconded and the minutes were approved by unanimous voice vote.

II. NEW BUSINESS

Ryan O’Gara said the petitioners for BZA-2018 RALPH AND SHIRLEY LINDER, BZA-2019 – TOMISH DEVELOPERS, LLC., and BZA-2020 BARRY KNECHTEL-KJG ARCHITECTURE, INC. have requested continuances to the August 28, 2019 Area Board of Zoning Appeals meeting.

III. PUBLIC HEARING

Gary Schroeder read the meeting procedures.

Jen Dekker moved that there be incorporated into the public hearing portion of each application to be heard this evening and to become part of the evidence at such hearing, the Unified Zoning Ordinance, the Unified Subdivision Ordinance, the Comprehensive Plan, the By-laws of the Area Board of Zoning Appeals, the application and all documents filed therewith, the staff report and recommendation on the applications to be heard this evening and responses from the checkpoint agencies. Carl Griffin seconded and the motion carried by voice vote.

Jen Dekker moved to continue BZA-2018 RALPH AND SHIRLEY LINDER, BZA-2019 – TOMISH DEVELOPERS, LLC, and BZA-2020 BARRY KNECHTEL-KJG ARCHITECTURE, INC, to the August 28, 2019 Board of Zoning Appeals public hearing. Carl Griffin seconded and the motion was approved by unanimous voice vote.
BZA-2010 BARRY KNECHTEL-KJG ARCHITECTURE, INC.:
Petitioner is requesting the following variances to construct an 845 sq. ft. addition to the existing Purdue Hillel Jewish Center in an R3W zone:

1. To reduce the number of required parking spaces to 3 from the minimum requirement of 19; (UZO 4-6-3)
2. To reduce the setback from Waldron Street to 13' from the minimum requirement of 25'; (UZO 2-10-8)
3. To reduce the rear setback to 3.5' from the minimum requirement of 25'; (UZO 2-10-9)
4. To increase the building coverage to 42.6% from the maximum allowed 40%; (UZO 2-10-7) and
5. To reduce the average setback from State Street to 19.5' from the minimum requirement of 24'-8" (UZO 2-10-8)

on property located at 912 W. State Street, West Lafayette, Wabash 19 (NW) 23-4. **Continued from the June ABZA meeting to add a variance. With Conditions**

Jen Dekker moved to hear and vote on **BZA-2010 BARRY KNECHTEL-KJG ARCHITECTURE, INC.** Carl Griffin seconded.

Rabita Foley presented the zoning map, aerial photos of the site, and site plan. She said the property is zoned R3W and the land use on site is a religious organization. Staff is recommending approval for Variances #1, #3, #4, & #5. Parking is located towards the north of the building next to the alley. Rabita showed the proposed site plan to demonstrate where the addition will go in relation to the current three parking spaces. Hillel is required to have more parking spaces based on the occupancy of the room where religious services are held. Due to the expansion only increasing the size of the kitchen and storage areas, staff feels the current number of spaces is appropriate. The rear setback is also an existing condition. During the State Street expansion project, an 11’ strip of land along the front setback was granted as right-of-way. Petitioner is asking for a building coverage variance due to the reduced acreage. This is an unusual circumstance where additional land has been acquired for right-of-way expansion. Staff feels approval is appropriate for this situation. The setback from State Street is an existing condition as the addition is only expanding towards Waldron Street, not State Street. Regarding Variance #2, staff feels the function of the existing building can exist without the expansion, so it does not meet the ordinance defined hardship. Therefore, staff is recommending denial of request #2. Rabita said if the Board approves all requests, staff recommends the following condition:

1. The final plat for Purdue-Hillel Minor Subdivision needs to be recorded before the Building Permit can be issued.

Kelly Good, 527 Sagamore Parkway West, West Lafayette, IN 47906, representing the petitioner, said he will only speak on Variance #2. He said the building was built in 1951 and is roughly 6500 sq. ft. A majority of the 845 sq. ft. addition will be for the kitchen. This is the only kosher kitchen in West Lafayette and Lafayette. In 1951, it met the needs of the student population however, in 2019 it is not able to accommodate the number of students. There is a need of separation for milk, meat, and food products. The primary use of the addition is for storage and maintenance of the kosher kitchen. He said he would be happy to answer any questions or to elaborate on any of the variances.

Erik Carlson, 1200 N Salisbury, West Lafayette, IN 47906, thanked Hillel and Kelly Good for their work on this process. He said he spoke 3 years ago in front of the Board in support of the Campus Christian House with similar setbacks. He appreciates the architects and developers saving the City of West Lafayette and APC time by utilizing the variance process. He has no doubt that if this went through the plan development process, that it would have approved and pushed for council approval. However, given the time and monetary restraints that are associated with the plan development process, petitioner is utilizing the variance process. The City of West Lafayette has met with Hillel over several months and is grateful for Hillel’s ease to work with for the State Street project. The front of their building is facing Waldron Street due
to the oddities of the ordinance. This is important to consider because there would be no issue in this scenario if this were a side setback at this level. Per UZO, the front of the building is on Waldron Street because of the shape of the building. The City of West Lafayette would appreciate approval of these variances and thanked Hillel for utilizing this process rather than using the staff time of a plan development.

Carl Griffin asked what would be allowed, per ordinance, if Variance #2 were a side setback.

Rabita Foley said because Waldron Street is a local road, it is required to have a 25’ setback. If there were no street there, it would be a 6’ side setback.

The Board voted by ballot 6 yes to 0 no to approve BZA-2010 BARRY KNECHTEL-KJG ARCHITECTURE, INC, Variance #1.
The Board voted by ballot 6 yes to 0 no to approve BZA-2010 BARRY KNECHTEL-KJG ARCHITECTURE, INC, Variance #2.
The Board voted by ballot 6 yes to 0 no to approve BZA-2010 BARRY KNECHTEL-KJG ARCHITECTURE, INC, Variance #3.
The Board voted by ballot 6 yes to 0 no to approve BZA-2010 BARRY KNECHTEL-KJG ARCHITECTURE, INC, Variance #4.
The Board voted by ballot 6 yes to 0 no to approve BZA-2010 BARRY KNECHTEL-KJG ARCHITECTURE, INC, Variance #5.

BZA-2021 MURTAUGH LAW, LLC:
Petitioner is requesting a variance to reduce the side setback to 1’ from the minimum requirement of 25’ from Garden Street to construct an outbuilding and fence to install a swimming pool. The existing home is on an R1-zoned corner lot located at 1701 Sheridan Road, West Lafayette, Wabash 18 (NW) 23-4 (UZO 2-1-7)

The board approved a 5.5’ setback variance (BZA-1996) from Garden Street on the subject property in 2018 to build an outbuilding. An Improvement Location Permit was not sought using that granted variance.

Jen Dekker moved to hear and vote on BZA-2021 MURTAUGH LAW, LLC. Carl Griffin seconded.

Ryan O’Gara presented the zoning map, aerial photos of the site, and site plan. He said this property recently came in for a setback variance that was never constructed. They are returning to reduce the side setback to 1’. This is not a unique situation in this neighborhood although the backyard narrows to a degree. The plan is similar to what was previously approved. The building footprint for the pool house has grown and is now closer to the street. The closest home to the accessory building is 100’ away across Garden Street. It is preferred that the adjacent owners are not impacted by the reduced setback. In staff’s opinion, this is not an uncommon situation in the area. Staff is unable to say that this is a hardship that other property owners in proximity do not face. Therefore, staff is recommending denial.

Reid Murtaugh, 3595 Sagamore Parkway, Lafayette, IN 47904, said the petitioners are asking for a variance to allow for the installation of an inground pool and pool house. He said the board had previously approved a 5.5’ setback variance for the same project. An Improvement Location Permit was not sought using the granted variance. The project had been slightly redesigned before any work started. The petitioner is now asking for a 1’ setback with the modified site plan. The most significant change is the additional 4.5’ between the pool and the pool house. He said that staff reports that the terms of the zoning ordinance are applied to a situation that is common to other properties in the same zoning district. The minimum 5.5’ setback variance was previously approved by the Board. Staff made the same negative findings in the previous request and the board granted the request. Petitioners contend that the redesign does not deviate enough from the approved variance to justify a different outcome. He said the important thing to note is that despite the petitioners asking for a 1’ setback, there will still be 12.9’ from the back of the curb to the property line, including the 1’ setback. This is only a small difference from the previous total.
Carl Griffin asked if this were a fence, rather than an accessory building, would there be any issues with the zoning ordinance?

Rabita Foley said yes, fences are required to abide by a 25’ setback as well along the street frontage.

Chad Spitznagle, 1200 N Salisbury, West Lafayette, IN 47906, said the fence ordinance was changed about a year ago. A side and rear setback are allowed a 6’ fence as long as it meets easement and vision triangle standard items. In this case, a fence would be allowed to be right on the property line at 6’ or higher.

Rabita said that is at the Administrative Officer’s discretion.

The Board voted by ballot 5 yes to 1 no to approve BZA-2021 MURTAUGH LAW, LLC.

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<th>Yes Votes</th>
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<td>Jen Dekker</td>
<td>Carl Griffin</td>
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<td>Gary Schroeder</td>
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<td>Frank Donaldson</td>
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<td>Tom Andrew</td>
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**BZA-2022 THOMAS L. Taulman II:**

Petitioner is requesting a variance to eliminate the paving requirement and allow gravel areas for parking and maneuvering of trailer inventory and equipment in an I3 zone. Approximately 30 acres of the subject property was approved for a similar variance in 2013 (BZA-1878). With this request, petitioner plans to add 18 acres of land west of the existing business. The property is located at the northeast corner of CR 450 S and US 52 in Sheffield 18 (NW) 22-3. (UZO 4-6-15(a)).

Jen Dekker moved to hear and vote on **BZA-2022 THOMAS L. Taulman II** Carl Griffin seconded.

Ryan O’Gara presented the zoning map, aerial photos of the site, and site plan. The site is located on the southeastern edge of the I3 zoning expansion area in Lafayette. The previous petition in 2013 requested a gravel parking lot, that was approved, as well as a reduction in the bufferyards to the north and east sides of the property line that were denied. Staff’s recommendation of denial is based on health, safety and general welfare. Tippecanoe County meets federal air quality standards called attainment. Tippecanoe County has been close to reaching non-attainment levels in recent years based on transportation planning data. If non-attainment levels are met, a reduction in federal funding for road projects occurs. Dust particulates generated by gravel lots contribute to air quality issues and can exacerbate non-attainment status. Tippecanoe County currently has attainment status and hopes to continue to have attainment status to ensure federal road funding. Staff is recommending denial based on the issue pertaining to attainment of air quality standards. Granting this Variance will be injurious to public health, safety, and general welfare because of the dust that would be generated. At a minimum, the petitioner could pave the maneuvering isles to reduce dust being generated. The property is common to industrial sites and the hardship is self-imposed because it is cheaper to gravel a lot instead of pave. Staff is recommending denial.

Christopher Shelmon, 250 Main Street, Suite 590, Lafayette, 47901, attorney for the petitioner, said this is a proposed expansion. The site is an industrial area that has been growing with GE, Nanshan, and Wabash National. The petitioner, TKO Graphix, works with Wabash National to provide custom and large-scale wraps for trailers. If TKO is unable to take inventory, Wabash National must slow production. This is an important facet of Wabash National and Greater Lafayette. He said the current zoning code allows storage of materials on gravel in I3 zoning. What makes this situation unique is the material being stored; a trailer with an axel categorizes the trailer as a vehicle. In turn, the storage lot becomes a parking lot and a maneuvering aisle. Christopher said that if the site were zoned Agricultural, gravel would be acceptable. The farms operating across the street are permitted to have gravel maneuvering aisles. He emphasized that the trailers are being stored on site, not constantly being moved around, for pre and post installation of
wraps. Trailers sit on site anywhere from a couple of weeks to a year based on Wabash National’s demand. Ultimately, petitioner is requesting to be treated like the neighboring sites in the I3 zone to allow storage of trailers on gravel. This is not a truck stop; the trailers sit for long periods of time before being transported into the proposed facility that is paved. Dust from gravel is mitigated twice a year with a soybean treatment in addition to asphalt shavings that have been applied. If there is dust in the area, it is already there; TKO Graphix will continue to operate as is. Neighbors and surrounding sites will not be impacted. Petitioner thanked the Board.

Frank Donaldson said it sounds like the maneuvering areas are paved. He asked what is paved and not paved.

Christopher Shelmon referenced the site map saying that the lines where the trucks will be parked, and the aisles in between, will not be paved. The area near the proposed building, where trucks will move trailers in and out quickly for graphics installation, will be paved. The long-term storage area will not be paved. The proposed storage area is enormous at 58 acres. The petitioner would argue that the practice of using soybean and asphalt shavings is the best practice for this type of industrial zone.

Carl Griffin asked what is the daily average turnover of trailers to and from the storage facility.

Christopher Shelmon said approximately 15-20 trailers are moved from the storage area.

Carl Griffin asked staff about attainment and non-attainment numbers. He asked if there is a criterion that the county is being held to.

Ryan O’Gara responded that metropolitan areas have air quality standards based on size, industry, and pollutant sources. Based on that community’s criteria, there is a certain threshold that cannot be passed. If the non-attainment boundary is crossed, federal road funds start being reduced proportionally.

Carl Griffin asked about air quality measures and how close the county is to getting to non-attainment level.

Ryan O’Gara apologized and said staff was not prepared with facts and figures.

Jen Dekker asked what the county is doing in other aspects to meet attainment levels.

Ryan O’Gara said local ordinances have a direct effect whereas zoning ordinances can be weak in addressing attainment directly. Municipal codes can add layers to reduce certain pollutants. City codes would have a more direct impact on other pollutant sources.

Jen Dekker asked if the county is looking at similar gravel roads to pave.

Ryan O’Gara said that attainment is a factor considered when rural roads are paved. Some roads are paved because there are a certain number of trips occurring each day. There will be a dust reduction level that will be factored into when rural roads will be paved. If a road does not have very many trips each day, it is not likely going to be paved. There are already things in place to address other pollutant issues. In terms of zoning, dust particulates are an area where staff has a little bit of say-so because there are requirements to pave.

Tom Andrew asked if the trucks will be low speed when maneuvering on the gravel.

Ryan O’Gara said yes.

Gary Schroeder said he lives in the county and drives by the site at least twice a day. He has never seen dust come off the site and sees more dust due to farming operations or gravel roads. He felt that putting asphalt on 58 acres would have a larger impact on the environment than crushed stone. He said he was in favor.
Christopher Shelmon said the neighbors nearby are not present to speak against the proposed site.

The Board voted by ballot 6 yes to 0 no to approve BZA-2022 THOMAS L. TAULMAN II.

IV. ADMINISTRATIVE MATTERS
None.

V. ADJOURNMENT
Jen Dekker moved for adjournment.

The meeting adjourned at 7:04p.m.

Respectfully submitted,

Chyna Lynch
Recording Secretary

Reviewed by,

Sallie Dell Fahey
Executive Director
REQUEST MADE, PROPOSED USE, LOCATION:
Petitioners and property owners, Ralph & Shirley Linder, are requesting the following variances to legitimize their existing single-family house and construct a new front porch in an AW zone:

1. To reduce the front setback from CR 350 E to 4’ from the minimum requirement of 40’; (UZO 2-26-7) and
2. To increase the coverage by all buildings to 11.5% from the maximum allowed 10%; (UZO 2-26-6) (After further review by staff, this request was not needed and has been withdrawn.)

on property located at 8507 S 350 E, in Lauramie 2 (SE) 21-4. Petitioners' property is made up of 2 lots in the unincorporated town of Concord and parts of vacated alleys. The subject property received approval from APC at its July 17th meeting to vacate Lots 3 and 4 (V-51). As per the Vacation of Plats section, paragraph ‘e’ in the APC bylaws, petitioners have to wait at least 30 days before recording the plat vacation.

AREA ZONING PATTERNS:
The lots are zoned AW, Agricultural Wooded, as is most of the plat of Concord. A small area zoned Flood Plain exists to the west near the banks of Wea Creek.

AREA LAND USE PATTERNS:
Petitioners have a house, detached garage and a couple of outbuildings. “A Plat of the Town of Concord” was recorded in 1832. The plat created 48 lots, seven streets and several alleys. Several of the alleyways and streets have been vacated over the years by action of the County Commissioners. A handful of residences exist within the plat, most of them constructed decades ago with no regard for the platted lot lines or unimproved street rights-of-way.

TRAFFIC AND TRANSPORTATION:
*The Thoroughfare Plan* classifies CR 350 E as a rural secondary arterial. Petitioners' detached garage crosses into a platted street (Elm Street) to the south of Lot 4. The site plan shows the current access from CR 350 E. The unimproved platted Elm Street to the south of the property is yet to be vacated.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
Well and septic serve the site.
STAFF COMMENTS:
The subject property has a 1240 sq. ft. dwelling unit that was at one time a school house, that has existed on site for several decades with no regard, like most houses in Concord, to the lot lines of the recorded plat. Petitioners also have a detached garage, a car shed and three outbuildings in addition to their home (roofed area adds up to 2,668 sq. ft.). Three of the existing accessory structures are fully or partially in the 350 E right-of-way and the platted, but unimproved, Elm Street. Petitioners plan to file a request with the County Commissioners to vacate the unimproved street in the near future.

Because the dwelling unit existed prior to the inception of zoning, 2/3rds of it is constructed within the required 40-foot setback. The ordinance states that “a nonconforming structure occupied by a permitted use may be moved on its lot, altered or enlarged in any way, provided the alteration or enlargement either meets all requirements of this ordinance, or decreases the structure's nonconformity.” With this request, petitioners want to reduce the front setback to expand the current porch from 168 sq. ft. to 300 sq. ft. (an approximately 50% increase). The new porch is proposed with a setback of 4 feet from the property line while the existing porch is about 6’ from the front lot line. The expansion of an existing nonconforming structure to increase its nonconformity does not meet the hardship definition in the UZO. Although unlikely, if in the future the County widens the CR 350 E right-of-way from the existing 66’ to 80 feet (the minimum requirement for a rural secondary arterial) this would impact the dwelling unit at this location.

Regarding the ballot items:

1. The Area Plan Commission on July 17, 2019, determined that the variance requested IS NOT a use variance.

And it is staff’s opinion regarding variance request #1:

2. Granting this variance WILL NOT be injurious to the public health, safety, and general welfare of the community. A four-foot setback will still allow for adequate sight lines for the motoring public and pose no safety hazard. Additionally, there exists an elevation shift of approximately 6 feet from the edge of the pavement to the front porch. Despite the inadequate R-O-W width, the difference between the new and old porch is negligible.

3. Use and value of the area adjacent to the property included in the variance request WILL NOT be affected in a substantially adverse manner. Granting this request does not substantially change the front setback situation that would devalue or inhibit the use of neighbors’ property.

4. The terms of the zoning ordinance are being applied to a situation that IS NOT common to other properties in the same zoning district because it is a nearly 200-year old platted area zoned Agriculture Wooded. Most of our small towns are zoned residentially with standards that fit small platted lots.
5. Strict application of the terms of the zoning ordinance WILL NOT result in an unusual or unnecessary hardship as defined in the zoning ordinance. The UZO permits a nonconforming structure occupied by a permitted use like the subject property to be moved on its lot, altered or enlarged in any way, provided the alteration or enlargement meets all requirements of this ordinance. Petitioners' desire to expand a nonconforming structure to increase its nonconformity is the reason for this request. A self-imposed situation cannot be considered an ordinance-defined hardship.

Note: Questions 5a. and 5b. need only be answered if a hardship is found in Question 5 above.

5a. The hardship involved IS self-imposed or solely based on a perceived reduction of or restriction on economic gain. The expansion of the nonconforming structure is self-imposed.

5b. The variance sought DOES NOT provide only the minimum relief needed to alleviate the hardship. The minimum relief would be the 6-foot setback that is currently in place from the existing smaller porch.

STAFF RECOMMENDATION:
Denial

If approved, staff recommends the following condition:

1. The plat vacation (V-51) must be recorded prior to seeking an Improvement Location Permit.
BZA-2019
TOMISH DEVELOPERS, LLC
(variances)

STAFF REPORT
August 22, 2019
REQUEST MADE, PROPOSED USE, LOCATION:
Petitioner, represented by attorney Daniel Teder, is requesting the following variances to raze an existing duplex and construct a new two-story student apartment building in an R3W zone:

1. To decrease the minimum lot width to 55.16’ from the minimum requirement of 70’;
2. To reduce the side setback from the northern property line to 4'-3" instead of the minimum requirement of 6’;
3. To reduce the off-street parking to 5 spaces from the minimum requirement of 11 spaces for university-proximate residences;
4. To reduce the side setback from the southern property line to 4'-3" from the minimum requirement of 6’; and
5. To decrease the front setback along Grant Street to 25’ from the minimum requirement of 60’;

on property located at 418 S. Grant Street, West Lafayette, Wabash 19 (SE) 23-4.

AREA ZONING PATTERNS:
The site is zoned R3W, as is the surrounding area. One setback variance was approved along Grant in 1990 on a property north of Williams Street (BZA-1012). Several setback variances have been granted in the past along Chauncey Avenue, also classified as an urban primary arterial that is a block east and parallel to Grant Street, to develop student apartments.

AREA LAND USE PATTERNS:
The site is occupied by an older duplex built in 1940. Student apartment complexes are located to the south, east and north of the subject property. The future site of Purdue's Veterinary Teaching Hospital is to the west across Grant. Purdue’s power plant is to the southwest across Grant.

TRAFFIC AND TRANSPORTATION:
The Thoroughfare Plan for Tippecanoe County designates this segment of Grant Street as an Urban Primary Arterial. No driveway access from Grant Street exists. Petitioner’s site currently has a parking area to the rear of the property, accessible from the platted alley (along the east property line). South Grant dead ends at the railroad embankment and will not be extended through.

Parking for a university-proximate multi-family project is based on the square-footage of
the living area. Petitioner’s redevelopment consists of eight efficiencies and two Type D units ranging in size from 315 square feet to 464 square feet. A total of 11 parking spaces are required for the proposed number of units. The site plan only shows 5 paved parking spaces; these would be accessible from the alley that connects to Williams Street north of the subject property.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
The site is served by sanitary sewer and water services.

STAFF COMMENTS:
Petitioner plans to raze the existing 1200 sq. ft. duplex to build a 10-unit student apartment. The proposed building will have three levels, each approximately 2000 sq. ft: semi-basement, first and second floors. The proposal depicts the style of multi-family housing developments common to the area: an apartment building constructed closer to the street with required parking to the rear.

Regarding the request to reduce lot width (#1), the legal description of the property describes it as a part of lot 37 and the plan shows the current lot width of 55.16’. The original plat of Ellsworth Subdivision recorded in 1870 shows lot 37 had a width of 75 feet and a depth of 131’. A 20’ wide strip along the southern property of the original lot may have been transferred to the adjoining property owner before 1969 resulting in the creation of a substandard lot. The ordinance allows a single-family dwelling on a substandard lot like this provided that the use is permitted and it meets the zone’s development standards (lot coverage, setback, parking and building height standards). A self-imposed situation and a claim based on a restriction on economic gain are not considered ordinance defined hardships.

Regarding the side setback reduction requests (#2 and #4), balconies are structural projections that are not allowed into a minimum side setback. A six-foot side setback allows natural light and air circulation, but more importantly, when a building is on fire, side yards are often used to stage temporary firefighting water walls to prevent a fire from spreading. Staff feels that wood frame structures like the one proposed in this request tend to be at a higher fire risk, therefore, maintaining the full 6’ side setback can contribute towards the safety of the residents in case of fire.

Most student housing approved in the university proximate area operates with a reduced number of on-site parking spaces due to negotiated planned developments or previously granted variances. The parking per bed ratio in the area ranges from 0.27 to 0.81. The request to reduce parking (#3) to a ratio of 0.5 is within the accepted norm in an urban, high-density, pedestrian-centric near campus area.

The circumstances leading to the front setback variance (#5) is not new to the ABZA. Since 1988, several variances have been sought and granted to reduce the required setback along Grant and Chauncey (both classified as urban primary arterials). The problem stems from the outdated classification of Grant Street (south of Williams Street) by the Thoroughfare Plan. A drive along Grant shows that the majority of the properties, including student apartments, fraternities, and buildings associated with Purdue, are situated closer than the required 60-foot setback. This portion of Grant dead ends at the
railroad track and does not function as an urban primary arterial. It more closely resembles an Urban Local Road, which requires a 25’ front setback.

1. The Area Plan Commission, at its August 21, 2019 public meeting has determined that the variances requested ARE NOT use variances.

And it is staff’s opinion that:

2. Granting variance requests #1, #3, & #5 WILL NOT be injurious to the public health, safety, and general welfare of the community. Reducing lot width, parking spaces, and the front setback in a dense urban area close to Purdue’s campus is similar to the surrounding development pattern that does not cause any public hazard.

Granting variance requests #2 & #4 WILL be injurious to the public health, safety, and general welfare of the community because decreasing the required side setback increases the chances of spreading fire.

3. Use and value of the area adjacent to the property included in the variance requests #1, #3, & #5 WILL NOT be affected in a substantially adverse manner. Most surrounding properties have already received similar variances or are planned development projects with similar negotiated development standards. Also granting these requests help to reinforce the existing neighborhood character.

Use and value of the area adjacent to the property included in variance requests #2 & #4 WILL be affected in a substantially adverse manner because it decreases open space ideally required for adequate natural light, air circulation, and privacy between structures in a dense urban environment.

4. The terms of the zoning ordinance are being applied to a situation that IS NOT common to other properties in the same zoning district regarding variance requests #3 and #5. The parking reduction sought is similar to surrounding apartment developments. This R3W property is situated along a road classified as an Urban Primary Arterial, but said road does not function as such an arterial. Furthermore, this area has been developed for some time and similar variances have been granted.

The terms of the zoning ordinance are being applied to a situation that IS common to other properties in the same zoning district regarding variance requests #1, #2, and #4. Substandard lots in the urbanized city are not unusual and can be redeveloped. A six-foot side setback is common and is particularly appropriate when the construction style is wood frame.

5. Strict application of the terms of the zoning ordinance WILL NOT result in an unusual or unnecessary hardship as defined in the zoning ordinance regarding variance requests #1, #2, #3, and #4. The UZO permits single-family dwellings on a substandard lot provided that it meets lot coverage, setbacks, building height and parking requirements. Petitioner’s desire to build an apartment on a substandard lot is self-imposed and does not stem from the application of the development standards.

Strict application of the terms of the zoning ordinance WILL result in an unusual or
unnecessary hardship as defined in the zoning ordinance regarding variance request #5 because this section of Grant Street is a dead end and operates as a local road, not a primary arterial.

**Note:** Questions 5a. and 5b. need only be answered if a hardship is found in Question 5 above.

5a. The hardship involved in variance requests #1, #2, #3, and #4 **IS** self-imposed or solely based on a perceived reduction of or restriction on economic gain because a single-family house without seeking variances can be built on the subject property.

5b. The variances sought **DO NOT** provide only the minimum relief needed to alleviate the hardship because there is no ordinance defined hardship.

5a. The hardship involved in variance request #5 **IS NOT** self-imposed or solely based on a perceived reduction of or restriction on economic gain because Grant Street here operates like a local road.

5b. The variance sought **DOES** provide only the minimum relief needed to alleviate the hardship by allowing petitioner to set back the building as other property owners in the area have done.

**STAFF RECOMMENDATION:**
Request #1 (Lot width) Denial
Request #2 (Side setback- northern property) Denial
Request #3 (Parking) Denial
Request #4 (Side setback- southern property) Denial
Request #5 (Front setback) Approval
BZA-2020
BARRY KNECHTEL-KJG ARCHITECTURE, INC
(variance)

STAFF REPORT
August 22, 2019
REQUEST MADE, PROPOSED USE, LOCATION:
Petitioner, with consent from the owner Michael Pritscher of Quicksilver Enterprises, LLC, is requesting the following variances in order to construct a student rental apartment building with 9 efficiency units:

1. To decrease the minimum required lot width from 70’ to 42.5’ for a multi-family building;
2. To decrease the side setback (on the north side) from 6’ to 5’ 1”;
3. To decrease the opposite side setback (on the south side of the lot) from 6’ to 4’;
4. To eliminate the requirement for a 5’ no-parking setback on the south property line;
5. To allow a maximum building height of 22’ instead of the maximum permitted 14’ as measured from the ground to the uppermost finished floor;
6. To decrease the vegetative coverage from 30% to 23.4%;
7. To decrease the parking standard for a University-Proximate Residence from 10 spaces (1 per efficiency unit) to 9 spaces (0.5 per efficiency unit); (After further review by staff, this request was not needed and has been withdrawn.)

on property located at 234 Marstellar Street, West Lafayette, Wabash19 (SE) 23-4.

This property was the subject of BZA-1987, heard and approved on July 25, 2018, for five variances. That project was never built and new variances are required because the current proposal has a different site plan and design with different variances needed.

AREA ZONING PATTERNS:
This property, along with lots to the north, east and south, is zoned R3W, Single-family, Two-family and Multi-family Residential. Land to the west, across Marstellar, is owned by Purdue University and is zoned Agricultural although being state-owned it is not subject to local zoning. There have been no recent rezones in the immediate area. The most recent BZA activity was last year for the same property. Because the project was never built and a new, albeit slightly different design is proposed the subject variances are necessary.

AREA LAND USE PATTERNS:
The site contains a duplex built in 1930, per the County Assessor’s records. This building, along with three farther south, are some of the only remaining structures from the traditional single-family and two-family neighborhood that once occupied this area. Other houses have been replaced with large apartment buildings. West across Marstellar are greenhouses associated with Purdue University’s College of Horticulture and Landscape Architecture. The lot adjacent to the south is owned by PRF and is currently unimproved; it is unknown what
future plans PRF has for this one lot.

TRAFFIC AND TRANSPORTATION:
Marstellar Street is classified as an urban local road in the Thoroughfare Plan. Harrison/Williams Street, just south of the site in question, was recently reconstructed as part of the ring road around campus.

The parking requirement for University-proximate residences is one space per efficiency unit; since 9 efficiencies are proposed and 9 parking spaces are shown, no parking variance is needed. The “no-parking setback” is a defined term in the UZO which requires parking spaces be setback 5’ from side and rear lot lines. This creates some separation between parked cars and sidewalks, alleys, and adjacent properties. It also prevents parked cars from overhanging into adjacent property. Because the dimension of 5’ is only provided in the definition of “no-parking setback” found in Chapter 1, the 5’ standard cannot be varied. (Only standards found in parts of Chapters 2 and 4 can be varied.) So even though petitioner’s site plan shows a 2.5’ no-parking setback along the south side, petitioner cannot provide the full 5’ setback, so a variance to eliminate this standard has been requested.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
The site is served by public sewer and water.

STAFF COMMENTS:
This area of West Lafayette contains nearly all student apartments ranging from large complexes to converted single-family homes. The lot in question has contained a duplex since 1930 and now a new 3-story apartment building with 9 efficiency units is proposed. According to the submitted site plan, the new building would meet the front and rear setbacks, but the building would be closer to the side property lines than permitted, in part because of the narrow width of this lot, 42.5’. It should be noted that this property, the north half of lot 11 in the Sheetz Addition, has existed in this configuration since at least the 1960’s, per the Assessor’s records. At that time, the south half of lot 11, (also 42.5’ in width and currently a vacant lot owned by PRF), also had a duplex which has since been removed. Ideally, staff would prefer this lot and its southern counterpart (both of which comprised of the original lot 11) be recombined to its original 85’ wide lot configuration.

Requests #2 and 3 (side setback reductions) are both only requested because of the size of the apartment building proposed. A building with fewer units or a more narrow building could be built on site without needing side setback variances.

Request #4 would eliminate the requirement of a 5’ no-parking setback along the southern property line where vehicles would be parked and potentially overhang onto adjacent properties. Even though 2.5’ would be reserved for overhanging vehicles, the parking area could be redesigned to meet the required 5’.

Request #5, to allow a building height of 22’ instead of the maximum 14’ (as measured to the finished floor of the upper story) is supportable. Given the history of approved planned developments and other height variances in West Lafayette, 22’ at the finished floor of the upper story is not out of the ordinary.

Request #6 would allow a vegetative lot coverage of 23.4% instead of the minimum allowed
30%. Petitioner’s site layout provides the required nine parking spaces. As a result, the greenspace requirement cannot be met. (The previous variance request on this site included a parking space variance but met the greenspace standard.)

Regarding the ballot items:

1. The Area Plan Commission at its July 17, 2019 meeting determined that the variances requested ARE NOT use variances.

And it is staff’s opinion regarding Variance #1 (lot width) that:

2. Granting this variance WILL NOT be injurious to the public health, safety, and general welfare of the community. This lot has been in existence since at least the 1960’s, possibly earlier with no concerns.

3. The use and value of the area adjacent to the property included in the request WILL NOT be affected in a substantially adverse manner. Again, this lot has historically been narrow with no ill effect to the neighbors.

4. The terms of the zoning ordinance are being applied to a situation that IS common to other properties in the same zoning district. Some lots in the R3W zone are much larger, but the adjacent lots to the south are all similarly sized to the subject site. Two of those smaller lots support duplexes.

5. Strict application of the terms of the zoning ordinance WILL NOT result in an unusual or unnecessary hardship as defined in the zoning ordinance. While the lot is too narrow to meet the requirements for a multi-family building, the existing structure could be maintained or a single-family dwelling could be built.

Note: Questions 5a. and 5b. need only be answered if a hardship is found in Question 5 above.

5a. The hardship involved IS self-imposed or solely based on a perceived reduction of or restriction on economic gain. While a single-family home may not be desirable for this property adjacent to campus, the lot is still buildable and staff can find no ordinance-defined hardship.

5b. The variance sought DOES NOT provide only the minimum relief needed to alleviate the hardship because there is no ordinance-defined hardship.

And it is staff’s opinion regarding Variances #2 and 3 (side setbacks) that:

2. Granting these variances WILL be injurious to the public health, safety, and general welfare of the community. Reduced side setbacks can create possible fire hazards as well as loss of light and air circulation.

3. The use and value of the area adjacent to the property included in these requests WILL be affected in a substantially adverse manner. While the lot to the south remains vacant there won’t be an issue, but there is no guarantee that the neighboring lot will remain
unimproved and its development potential could be compromised.

4. The terms of the zoning ordinance are being applied to a situation that is common to other properties in the same zoning district. While this lot is narrow, an apartment building with a smaller number of units or a smaller footprint could be built without needing side setback variances.

5. Strict application of the terms of the zoning ordinance will not result in an unusual or unnecessary hardship as defined in the zoning ordinance. Again, a building with a smaller number of units or a smaller footprint could be built within the required setbacks; the ordinance is not causing a hardship.

Note: Questions 5a. and 5b. need only be answered if a hardship is found in Question 5 above.

5a. The hardship involved is self-imposed or solely based on a perceived reduction of or restriction on economic gain. Because a smaller footprint could be designed to meet setbacks, it is only petitioner’s desire for more units that is causing a perceived hardship.

5b. The variance sought does not provide only the minimum relief needed to alleviate the hardship because there is no hardship.

And it is staff’s opinion regarding Variances #4 (eliminating the no-parking setback) that:

2. Granting this variance will not be injurious to the public health, safety, and general welfare of the community. Based on the submitted site plan, there will still be a partial no-parking setback of 2.5' on the south side. The north and east sides of the property can meet this requirement.

3. The use and value of the area adjacent to the property included in this request will not be affected in a substantially adverse manner. A smaller no-parking setback would be provided helping to ensure parked vehicles do not project over the property line.

4. The terms of the zoning ordinance are being applied to a situation that is not common to other properties in the same zoning district. The narrowness of this lot makes this an unusual situation.

5. Strict application of the terms of the zoning ordinance will not result in an unusual or unnecessary hardship as defined in the zoning ordinance. While the lot is narrow, the parking area could be redesigned to include the 5' no-parking setback.

Note: Questions 5a. and 5b. need only be answered if a hardship is found in Question 5 above.

5a. The hardship involved is self-imposed or solely based on a perceived reduction of or restriction on economic gain. A redesign of the site could be done meeting this 5' no-parking setback.

5b. The variance sought does not provide only the minimum relief needed to alleviate
the hardship because no ordinance-defined hardship exists.

And it is staff’s opinion regarding Variance #5 (allowing a building height of 22’) that:

2. Granting this variance WILL NOT be injurious to the public health, safety, and general welfare of the community. An upper finished floor level 22’ above grade is in keeping with other multi-family structures in the area, including some of the newer planned developments near campus. This older height standard was originally conceived when the fire department did not have the necessary equipment to fight fires above 2 1/2 story buildings.

3. The use and value of the area adjacent to the property included in this request WILL NOT be affected in a substantially adverse manner. The building height increase is not out of character with surrounding developed properties.

4. The terms of the zoning ordinance are being applied to a situation that IS NOT common to other properties in the same zoning district. Requiring the developer of this property to use the old height requirement to deal with a fire department problem that has already been solved would create an uncommon situation.

5. Strict application of the terms of the zoning ordinance WILL result in an unusual or unnecessary hardship as defined in the zoning ordinance. Again, requiring the developer of this property to abide by the existing outdated height requirement would create a hardship as this standard has been proven to be no longer relevant.

   Note: Questions 5a. and 5b. need only be answered if a hardship is found in Question 5 above.

   5a. The hardship involved IS NOT self-imposed or solely based on a perceived reduction of or restriction on economic gain. The hardship is not self-imposed but ordinance-imposed.

   5b. The variance sought DOES provide only the minimum relief needed to alleviate the hardship. A total building height (measured to the peak of the roof) of just under 40’ is in character with most of the newer residential projects near campus.

And it is staff’s opinion regarding Variances #6 (allowing a vegetative coverage of 23.4% instead of the minimum required 30%) that:

2. Granting this variance WILL NOT be injurious to the public health, safety, and general welfare of the community. A decreased vegetative coverage from the required 30% to the requested 23.4% will have no adverse effect on the public health, safety and general welfare.

3. The use and value of the area adjacent to the property included in this request WILL NOT be affected in a substantially adverse manner because the reduction is minimal and will have no impact on the use and value of surrounding properties.
4. The terms of the zoning ordinance are being applied to a situation that IS NOT common to other properties in the R3W zone because most of the redevelopment that occurs in West Lafayette near campus is done through the planned development process where all development standards are negotiated.

5. Strict application of the terms of the zoning ordinance WILL result in an unusual or unnecessary hardship as defined in the zoning ordinance. The greenspace shown on the site plan is about 513 square feet short of the required amount. If petitioner were to remove 4 parking spaces (648 square feet) and replace with greenspace, the vegetative coverage requirement could be met. However, in this instance staff would prefer that required parking of one space per unit be met instead of providing the required greenspace.

**Note:** Questions 5a. and 5b. need only be answered if a hardship is found in Question 5 above.

5a. The hardship involved IS NOT self-imposed or solely based on a perceived reduction of or restriction on economic gain. The building proposed for this lot only covers 29% of the lot, which is considerably less than the 40% maximum allowed. This design maximizes the lot’s small size. Providing the ordinance required parking means that the 30% greenspace cannot be met.

5b. The variance sought DOES provide only the minimum relief needed to alleviate the hardship. The developer has chosen to meet the parking standard in place of the greenspace requirement.

**STAFF RECOMMENDATION:**
Variance #1 (Lot width): Denial
Variance #2 (Reduced north side setback): Denial
Variance #3 (Reduced south side setback): Denial
Variance #4 (Eliminate the no-parking setback): Denial
Variance #5 (Increased building height): Approval
Variance #6 (Vegetative coverage): Approval
REQUEST MADE, PROPOSED USE, LOCATION:
Petitioner, with consent from the owner, Andrew Heber Real Estate, LLC, is requesting a special exception for a Transient Guest House in an existing single-family home in the R1B zone. The property is in the Southlea Addition to Lafayette at 929 Rochelle Drive, Lafayette, Wea 04 (NW) 22-4. This use will be in operation 24 hours a day, seven days a week.

AREA ZONING PATTERNS:
This property is zoned R1B, as is all surrounding property. This neighborhood, south of Beck and east of S. 9th Street, was developed in the 1950s and 60s and has remained zoned for single-family use. Farther south on 9th Street at the Twyckenham intersection, exists a node of commercial zoning. Farther west on Beck there are a few properties zoned commercially.

AREA LAND USE PATTERNS:
This home was built in 1956 as a single-family residence according to the Assessor’s records; the entire neighborhood is composed of single-family homes. To the west of the subdivision across 9th Street is Armstrong Park, to the northwest is Bishop’s Woods with Central Catholic High School farther to the north.

TRAFFIC AND TRANSPORTATION:
Rochelle Drive is a local road. The site has close access to Beck and 9th Street. 18th Street can be accessed through the subdivision’s internal streets.

This lot has a single-car detached garage and a 75’ long driveway in which to park vehicles. The driveway is not paved; however paved driveways are a requirement in the R1B. Most of the driveways in the neighborhood are solid surfaced.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:
City utilities serve the site.

STAFF COMMENTS:
Petitioner is seeking a special exception to use the existing single-family home as a transient guest house. There would be no onsite owner or manager. The petitioner is a local property manager and will work with the property owner, who already operates several other “AirBNB”s throughout the country. If approved, this home can be rented by
a maximum of 4 adults as a short term rental of less than 30 days or as a standard long term rental.

According to the County Assessor’s data the home is 875 square feet with one bathroom and three bedrooms. Petitioner would like to offer short-term rental space at this property as a test for other properties she manages in the community.

Based on a discussion with city staff, the three bedrooms and one bathroom house could be rented to a maximum of 4 adults at any given time. The structure in this request was constructed as a one-family building type. 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.” For short term rentals, the City of Lafayette assumes that at least two of the four adults constitute a “family” allowing two additional unrelated persons to cohabitate in a dwelling unit. If approved, petitioner will be permitted to rent the property in this request to a maximum of four adults (not counting children) at any given time.

The ordinance prohibits a transient guest house use from changing its basic appearance as a dwelling or the addition of any exterior signage. If this request is granted, the petitioner is required to apply for a permit from the Administrative Officer (Lafayette City Engineer) to operate the transient guest house.

At its meeting on August 7th, 2019 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 3.1 of the Unified Zoning Ordinance **DOES** authorize the special exception for a Transient Guest House as defined in the R1B 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 if the driveway is hard-surfaced because currently it is gravel. When changing uses to a transient guest house all development standards must be brought into compliance. The development standards are the same as a single-family residence. No additional changes are required.

3. Granting the special exception **WILL NOT** subvert the general purposes served by the Ordinance. If the request is approved only one family can stay at this location which is consistent with the existing structures and uses currently in place.

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 other homes and uses in this neighborhood because the house will be
rented at any given time to a maximum of four adults (not counting children) or any number of persons that meets the definition of family in the ordinance;

b. Placement of outdoor lighting: No additional lighting is proposed outside. The existing lights on the exterior of the buildings are sufficient to illuminate the parking area;

c. Noise production: As per the city’s interpretation of “family”, it cannot be rented to large groups of unrelated people but only to four adults (not counting children) or any number of persons that meets the definition of family in the ordinance. In addition, the application states that it will not permit music to be played outdoors after 9:00 PM. Noise associated with families renting this house for a short term in residential neighborhood would be similar to other properties in the area;

d. Hours of operation: 24 hours a day, 7 days a week is the same as any other residential use.

STAFF RECOMMENDATION:
Approval with the following conditions:

1. A permit to operate a Transient Guest House must be obtained from the Lafayette City Engineer’s office;

2. The driveway shall be hard surfaced (asphalt or concrete).

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