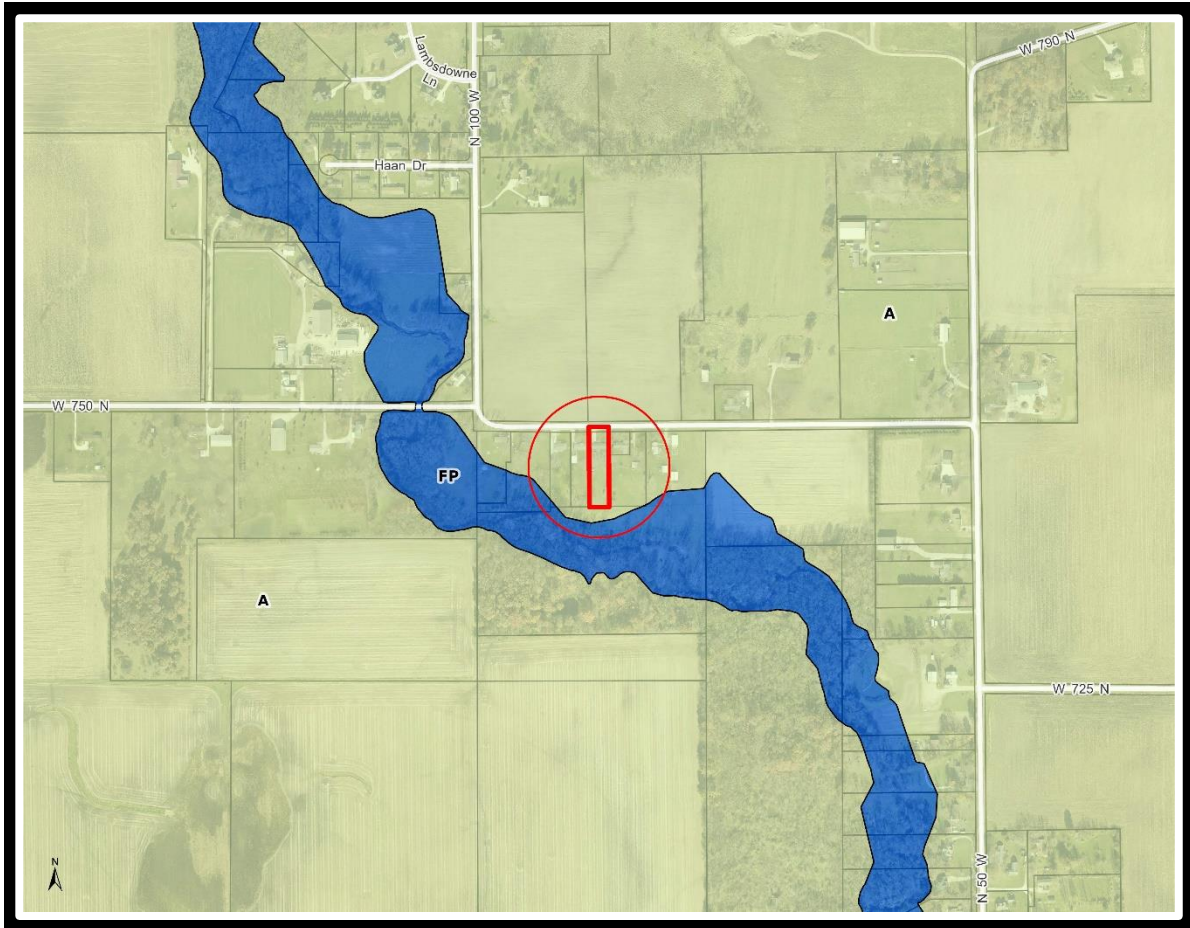

BZA-2092
JENNIFER O'SHEA
(special exception)

STAFF REPORT
December 1, 2022



BZA-2092
JENNIFER O'SHEA
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 home as a Transient Guest House (as defined in the ordinance) in an A zone for a maximum of 6 guests. The proposed hours of operation are 24 hours a day, seven days per week. The property is located in western Tippecanoe Township, specifically at 819 W 750 N, Tippecanoe 18 (SW) 24-4. (UZO 3-2)

AREA ZONING PATTERNS:

This site is zoned A, as is all surrounding land. To the west and south nearby land has FP zoning associated with Burnett Creek. There has been no recent rezone or ABZA cases in this neighborhood.

AREA LAND USE PATTERNS:

This home was built in 1963 as a single-family residence according to county tax records. The property is part of a group of single-family houses built along this road mostly in the 1960s. The land across the county road to the north is unimproved agricultural land, while the land immediately south of these houses is wooded and unimproved.

TRAFFIC AND TRANSPORTATION:

CR 750 N is classified as a major collector in the county's adopted *Thoroughfare Plan*. The existing house has a two-car attached garage and a driveway with capacity to park 4-6 vehicles. This provides up to 8 parking spaces, which is adequate for the maximum 6 guests.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The site is served by a private well and septic system.

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. If approved, this home could be rented by a maximum of 6 guests as a short-term rental of less than 30 days or as a standard long-term rental.

According to petitioner, the three-bedroom house would be rented to a maximum of 6 guests at any given time including children. The structure in this request was constructed as a one-family dwelling. It is staff's opinion that this structure can support 6 guests and

would not be different from any other family living in the neighborhood.

Petitioner's proposed house rules strictly prohibit any parties and large events. These rules will minimize noise and traffic concerns and help ensure the site will be comparable in impact to the other single-family homes in the area.

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 (Tippecanoe County Building Commissioner) to operate the transient guest house.

At its meeting on December 7, 2022, 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 A 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. When changing uses to a transient guest house all development standards are the same as a single-family residence and petitioner will not be changing the existing structure for the proposed use.
3. Granting the special exception **WILL NOT** subvert the general purposes served by the Ordinance. If the request is approved, only 6 guests can stay at this location, which is consistent with the existing structures and residential 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 6 guests including children. The garage and driveway provide 8 spaces, which is ample parking for the use;
 - b. Placement of outdoor lighting: The existing lights on the exterior of the buildings are sufficient to illuminate the single-family home and the driveway area;
 - c. Noise production: Petitioner's proposed house rules state they would not permit parties and large events, which would be the largest noise contributors. Noise associated with guests renting this house for a short term in a 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 condition:

1. A permit to operate a Transient Guest House must be obtained from the Tippecanoe County Building Commissioner's office.

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.

VARIANCE EXHIBIT
(SITE PLAN)

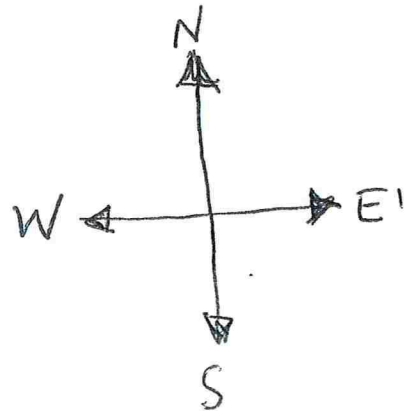
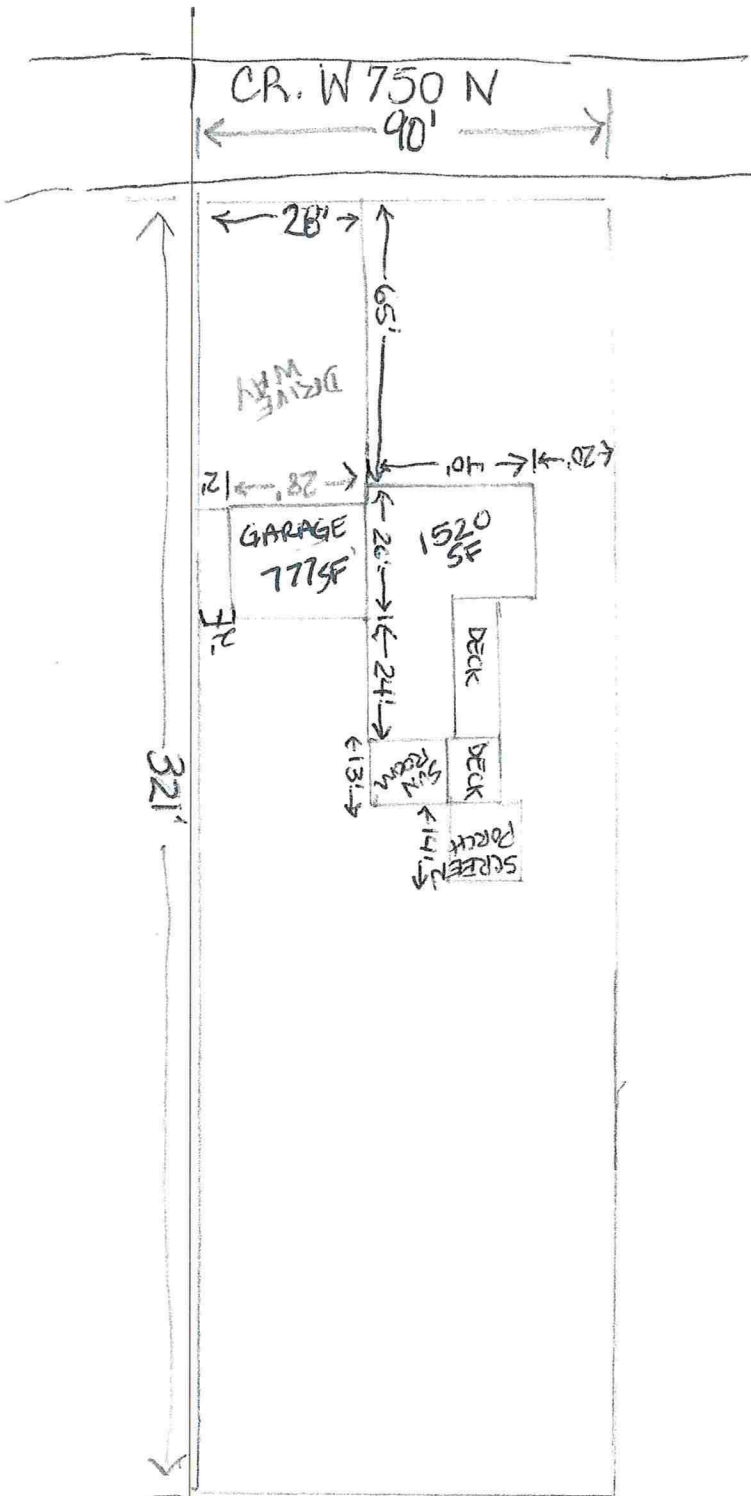
SCALE : 1.5" = 60 Feet

Roof + Walk + deck + drive = 4876 SF (14%)

LAWN = 32,150 SF 86%

Garage = 777 SF

Driveway = 1820 SF (65' x 28')



Driveway	= 1820
Garage	= 777
house	= 1520
Sun Room	= 221
Deck	= 150 + 192
Screen Porch	= 196
<hr/>	
	4876 SF

819 W. 750 N, West Lafayette, IN

Legal description:

DT NW SW SEC 8 TWP 24 R4 .85A