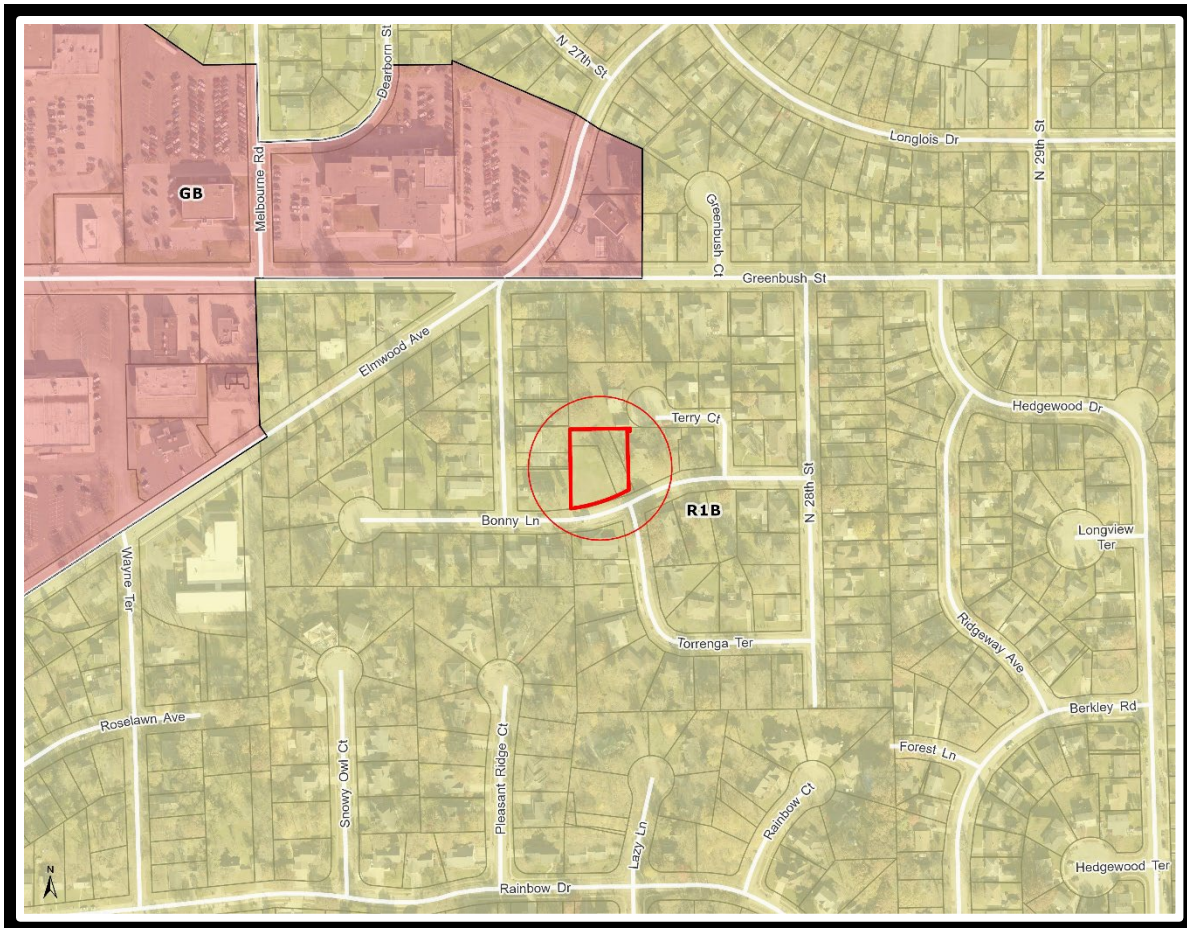

BZA-2095
EMILY SAMPSON
(special exception)

STAFF REPORT
January 19, 2023



BZA-2095
EMILY SAMPSON
Special Exception

Staff Report
January 19, 2023

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner Emily Sampson, Program Coordinator for the property owner, Isaiah 117 House Properties, Inc., is requesting a special exception to allow a haven home open 24 hours a day, 7 days a week in an R1B zone. The property is located in the Vandergraff Addition, at 2710 Bonny Lane, south of Greenbush Street, in Lafayette, Fairfield 22 (NW) 23-4.

A “haven home” according to the UZO definition, is “a social service facility assisting children awaiting foster care or similar placement. A child’s stay at such facility shall not exceed 72 hours.” This use is only permitted in a residential zone with a special exception.

AREA ZONING PATTERNS:

The lot is zoned R1B as is all surrounding property. The Vandergraff Addition to Lafayette was platted and developed with single-family homes in the 1950’s. Houses here are modest in size but well cared for.

AREA LAND USE PATTERNS:

The lot in question is unimproved and is one of the few lots within the addition that has never had a house constructed on it. It slopes upward considerably from the Bonny Lane right-of-way so that the lot is close to being the highest point in the subdivision. Petitioner plans to build a two-bedroom house which would be built 6’ from the east property line and 25’ from the right-of-way line. Though it would be a “social service facility,” the building itself would look like and, when needed, operate like a single-family home.

A detached garage on the lot to the north encroaches onto the lot in question at its northeast corner. The lot adjacent to the east is a “through lot” with a house that fronts onto Terry Court and has a backyard which slopes down to Bonny Lane.

TRAFFIC AND TRANSPORTATION:

Bonny Lane is an urban local road, which is accessed from Greenbush Street by either N. 27th or N. 28th which connect the two city streets. No garage is shown on the site plan; however, a large “driveway” area has been shown wrapping around the west side and rear of the house. This area is sufficient to meet the requirement of two parking spaces necessary for this use. Parking spaces in the R1B zone are required to be paved.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The site is served by city utilities.

STAFF COMMENTS:

According to the petition, the Isaiah 117 House would be open 24 hours per day, seven days per week. The only vehicles on site would be 1 to 2 volunteer personal vehicles plus one DCS (Department of Child Services) vehicle. Only typical residential lighting would serve this site and there would be no sources of noise. The petition further states that, "Isaiah 117 House is a temporary space for children entering foster care to await placement. Children will remain in the home no longer than 72 hours." When asked about the occupancy of the house, petitioner responded, "the house needs to be available 24/7, but there will be no permanent resident. [Employees]...will be working there during business hours, and we will host children and caseworkers on an as-needed, on-call basis, which could be any time of day. When there are no children present, we may have volunteers in the house for organizing, maintenance, cooking, cleaning, or other household tasks."

At its meeting on January 4th, 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 haven home in this 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. Setbacks, parking, etc. will all be met per the submitted site plan.
3. Granting the special exception **WILL NOT** subvert the general purposes served by the Ordinance. This request if granted will not harm the public and would serve a public need.
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: Two or three cars parked on site occasionally would be no burden to the neighborhood and would be consistent with any other single-family residence;
 - b. Placement of outdoor lighting: Only typical residential lighting is proposed;
 - c. Noise production: None, other than children playing which is typical in a neighborhood setting;
 - d. Hours of operation: 24 hours per day/7 days per week is normal for this use.

STAFF RECOMMENDATION:

Approval

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.

LOT COVERAGE:

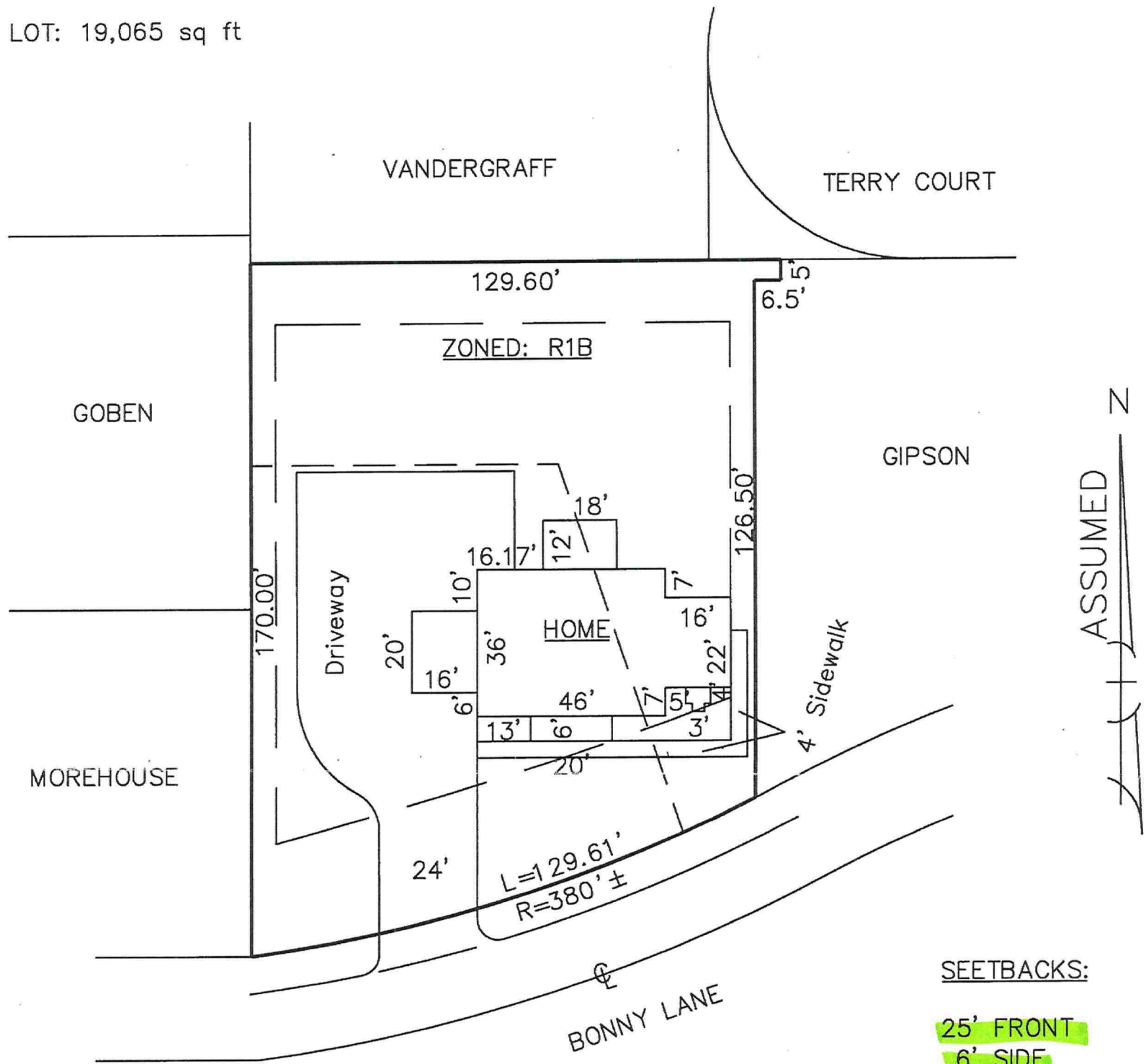
BUILDING: 2664 sq ft
PAVING: 4426 sq ft
(37.2%)

VEGETATIVE COVERAGE: 11,975 sq ft
(62.8%)

LOT: 19,065 sq ft

FAIRFIELD TOWNSHIP
TIPPCANOE COUNTY

19,065 sq.ft.
0.4377 Ac.



SEETBACKS:

25' FRONT
6' SIDE
20' REAR

Required Rear
Setback is 25'
which will be met.

OWNERS ADDRESS:

ISAIAH 117 HOUSE PROPERTIES, LLC
P. O. BOX 842
ELIZABETHTON, TN 37644
DEED No. #202222019107

SITE PLAN
FOR THE
ISAIAH 117 HOUSE
PROPERTIES, LLC

AUDITOR'S KEY NO.:

79-07-22-102-017.000-004

LEGEND:

SCALE: 1"=40'

PROPERTY ADDRESS:

2710 BONNY LN
LAFAYETTE, IN 47909



Ronald E Wharry

RONALD E. WHARRY
RLS NO. S0420

MOSES SURVEYING
1357 E. WABASH ST. Ste A
FRANKFORT, IN 46041
(765) 654-5910

This Plat was prepared by:
RONALD E. WHARRY

DATE: JANUARY 13, 2023
JOB NO. 23-3

URBAN SURVEY