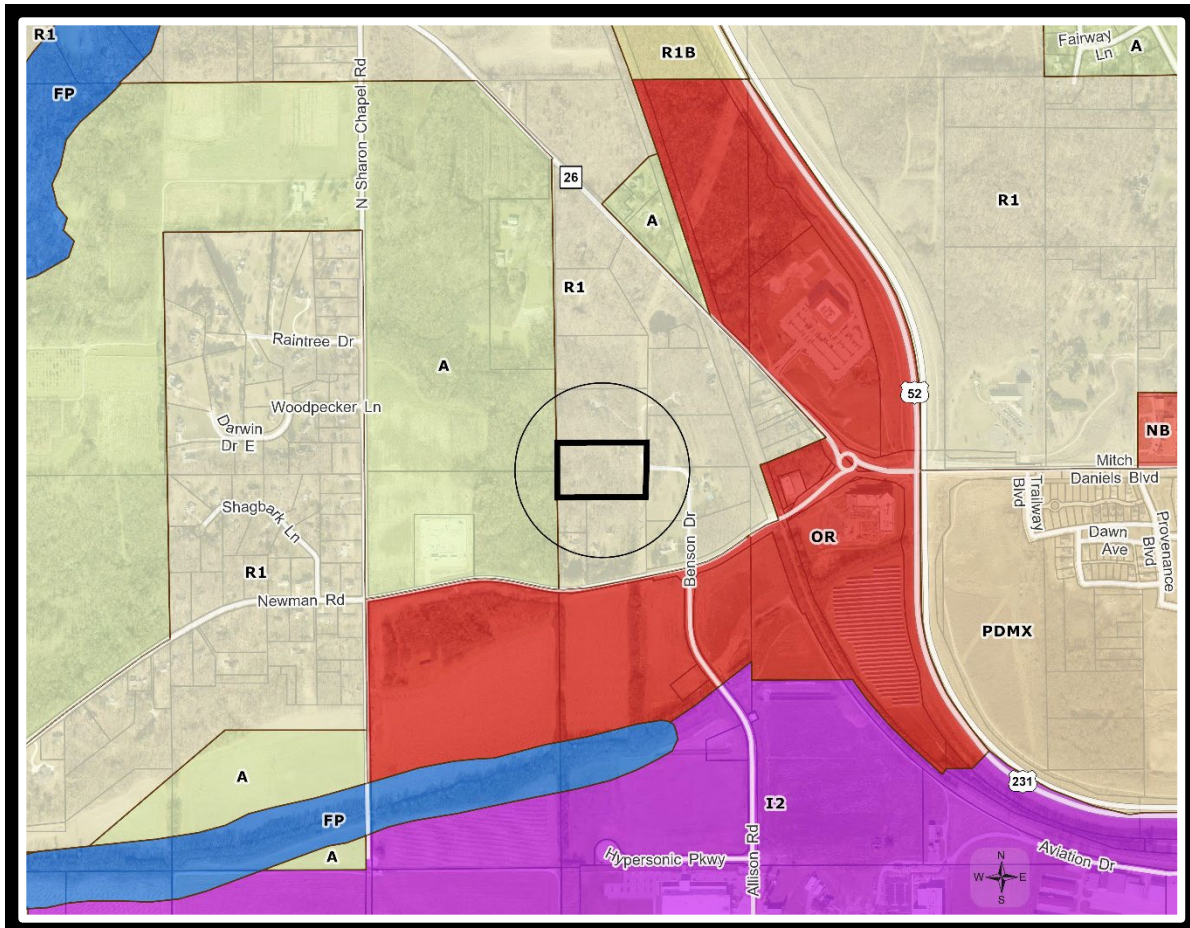

BZA-2100
Z-CUBE HOMES LLC
(special exception)

STAFF REPORT
April 20, 2023



BZA-2100
Z-CUBE HOMES LLC
Special Exception

Staff Report
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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, who is also the property 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 R1 zone for a maximum of 12 guests. The proposed hours of operation are 24 hours a day, seven days per week. The 5.005-acre property is located at 1500 Benson Drive, Wabash 23 (NE) 23-5 (UZO 3-2).

AREA ZONING PATTERNS:

This property is zoned R1, as is all surrounding property. Apart from some OR, Office/Research and I2, Industrial zoned land to the south and east (around the Purdue airport), this area of Wabash Township is zoned mostly single-family residential and agricultural.

AREA LAND USE PATTERNS:

This home was built in 1987 as a single-family residence according to the County Assessor's records; the entire neighborhood on Benson Drive is composed of single-family homes on large, heavily wooded tracts. The A zoned land to the west, as well as the OR zoned property south across Newman is unimproved; a new chip making facility is slated for an area adjacent to the Purdue airport, further to the south.

TRAFFIC AND TRANSPORTATION:

The site has frontage on a private graveled drive, Benson Drive. Including this one, there are five single-family dwellings along the private drive. The drive gains access from Newman Road just west of the SR 26 round-about. Newman is classified as an urban secondary arterial by the adopted *Thoroughfare Plan*. The home has a two-car attached garage and a driveway with capacity to park up to 8 vehicles. This provides 10 parking spaces which is adequate for the maximum 12 guests.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

The home is served by a private septic system and well. There are three bathrooms and three bedrooms in the home; petitioner intends to add a fourth bedroom and is currently working with the County Health Department to ensure the septic system can serve a four-bedroom home.

STAFF COMMENTS:

Petitioner is seeking a special exception to use the existing single-family home as a transient guest house. As defined by the UZO, this use does not require any of the units to be owner-occupied. If approved, this home could be rented by a maximum of 12 guests as a short-term rental of less than 30 days or as a standard long-term rental.

The Petitioner's application states that "[N]oise detection sensors will be used to constantly monitor noise levels to ensure we are being courteous to our neighbors." A Ring doorbell camera will be installed to monitor occupancy levels. The petition states that all outside activity may only occur between 7am and 11:59pm, and is limited to the backyard, to help keep noise to a minimum. No additional lighting fixtures are planned, though the petitioner wishes to make significant investments to improve the external and internal condition of the home. Traffic generation from this use could be sizeable, especially on a graveled private drive. However, the petition includes an accommodation to help pay any costs for the maintenance of the private drive if needed.

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 April 05, 2023 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 R1 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. The use is permitted by special exception in the R1 zone and will be used as a single booked dwelling.
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 application states that parking can accommodate up to 10 vehicles on site. If parked at this number, it would be an increase over a standard residence, though it is staff's opinion that fewer than 10 vehicles will be present at any given time. The garage and driveway areas are sufficient to

- accommodate that number without overflow parking on the shared private drive;
- 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, and the petitioner does not plan to install any additional lights;
 - c. Noise production: The petition states that outdoor activity may only occur between 7am and 11:59pm, and only in the backyard. If followed by guests, this would be more restrictive than a normal rental because the county doesn't have a noise ordinance;
 - d. Hours of operation: 24 hours a day, 7 days a week is the same as any other residential use.

STAFF RECOMMENDATION:

Approval, with condition and commitments:

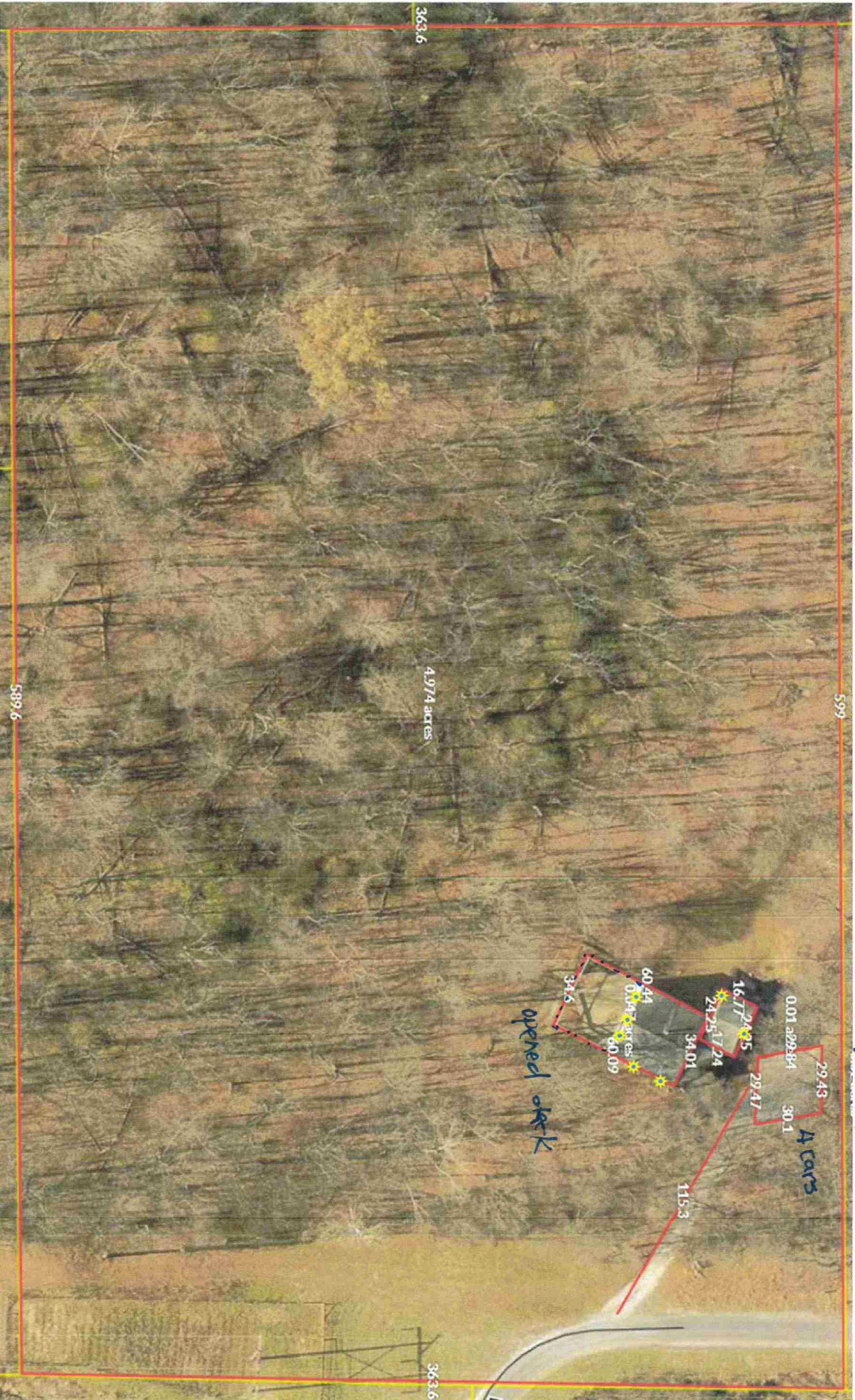
Condition

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

Commitment

- 1. The single-family dwelling may only be reserved by a single booking at any given time.
- 2. Guests of the Transient Guest House shall not park on Benson Drive.

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.



Parking

A Cars

opened deck

1500 Benson Dr, WL