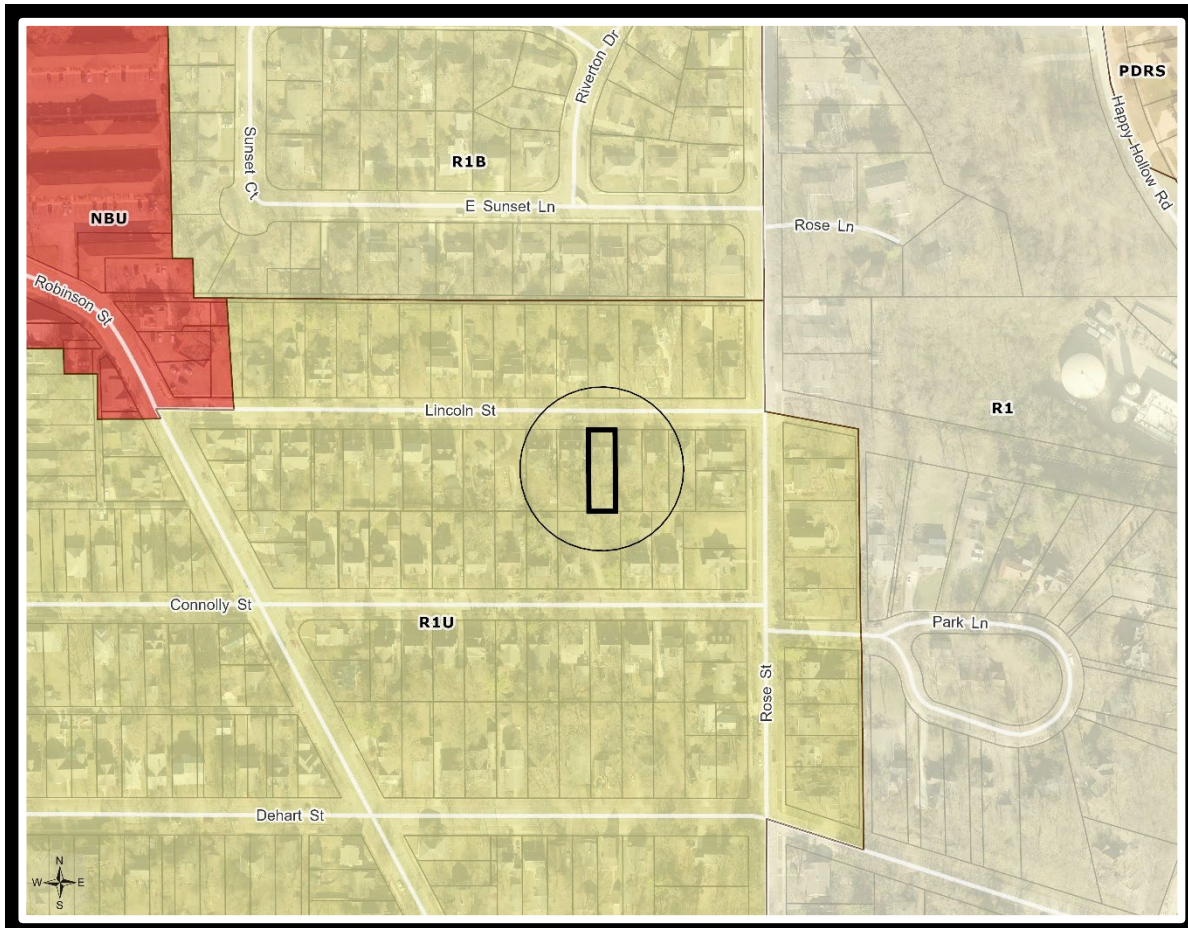

BZA-2105
NATHANIEL GUSTUS
(special exception)

STAFF REPORT
May 18, 2023



BZA-2105
NATHANIEL GUSTUS
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 allow a transient guest house that would operate 24 hours/day, seven days a week and house up to 6 people. The home is located at 267 Lincoln Street, West Lafayette, Wabash 17 (SW) 23-4.

AREA ZONING PATTERNS:

The site and all surrounding land is zoned R1U; R1B and R1 zoning are further to the north and east. An area of NB zoning exists along N. Salisbury Street near its intersection with Robinson Street. There has been no recent BZA or APC actions in the immediate area.

AREA LAND USE PATTERNS:

The site in question contains a single-family home with a detached garage near the rear of the lot, which is very common in this neighborhood. The area is a mixture of both owner-occupied and rental housing. A small neighborhood park is three properties west of the subject site.

TRAFFIC AND TRANSPORTATION:

The home is located on Lincoln Street, which is classified as an urban local road. Lincoln Street is a paved two-lane road with parking along both sides. The right-of-way is approximately 50 feet wide.

As with most homes in the area, a small garage for two cars is located at the rear of the lot accessed by a long driveway over 100 feet long with room for 4 or 5 vehicles.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Sewer and water serve the area.

STAFF COMMENTS:

West Lafayette adopted the transient guest house zoning regulations on November 8, 2022. This is the first special exception for a short-term rental the Board has heard for property in West Lafayette. Previously, short-term rentals were handled through West Lafayette's rental inspection program.

The site in question is located in New Chauncey, a neighborhood with an active

neighborhood association that has been advocating since the 1970's to grow home ownership in the area. While the association would likely rather petitioner's property not be a short-term rental, it has been a rental for several years, petitioner has made improvements to the site, and petitioner lives in the neighborhood. According to West Lafayette, there are over 40 short-term rentals in all of West Lafayette that are legally nonconforming (grandfathered). It is not clear how many exist in this neighborhood.

Petitioner is seeking a special exception to use the existing single-family home as a transient guest house. Currently the home is being used as a long-term rental and has been for some time. If this request is approved, the home could be rented to up to 6 adults for fewer than 30 days at a time.

Petitioner's application indicates that he purchased the home in January 2021 and has invested time and money into cleaning up the exterior and interior of the home. Most recently the home was rented to a visiting research assistant at Purdue University but if approved petitioner will rent the home on a short-term basis. Additionally, petitioner lives about a block away and will be able to monitor the property. A "Ring" doorbell will be installed to help monitor the number of guests coming and going from the property.

Outdoor lighting is limited to the front porch and garage area; no additional outdoor lighting will be installed. Noise generation from this use is typical of a residential area with cars pulling in and out of the driveway, and only 1 or 2 vehicles (other than guest vehicles) are anticipated to visit the site for cleaning and maintenance.

At its meeting on May 3, 2023 the Executive Committee of the Area Plan Commission voted that granting this request for a transient guest house in the R1U zone 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 this use in this 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 this request is approved, only 6 guests can stay at this location (in a single booking) which is consistent with the existing structure and surrounding uses.
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 in this neighborhood because the house will be rented at any given time to a maximum of 6 guests. The driveway is over 100 feet long and leads to a two-car garage. Stacked parking for guest vehicles can be accommodated.
- b. Placement of outdoor lighting: Residential style lighting on the front porch and at the garage are typical of outdoor lighting in the neighborhood.
- c. Noise production: Outdoor noise will be limited to guest entering and leaving the site, which is typical of 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 and commitments:

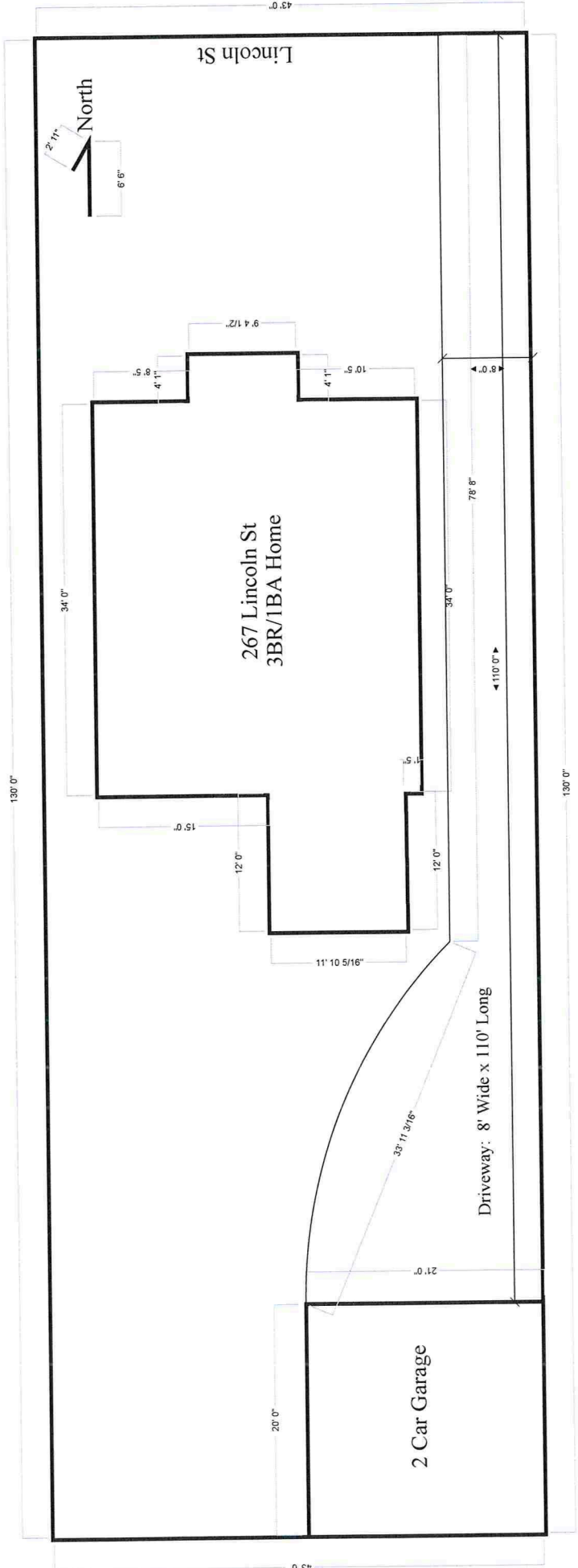
Condition:

1. A permit to operate a Transient Guest House must be obtained from the Administrative Officer for West Lafayette.

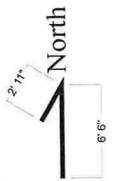
Commitments:

1. Occupancy shall be limited to 6 guests.
2. The dwelling may only be reserved by a single booking at any given time.

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.



Lincoln St



267 Lincoln St
3BR/1BA Home

2 Car Garage

Driveway: 8' Wide x 110' Long

130' 0"

130' 0"

34' 0"

34' 0"

78' 8"

110' 0"

8' 0"

9' 4 1/2"

5' 8"

4' 1"

10' 5"

4' 1"

15' 0"

12' 0"

11' 10 5/16"

12' 0"

33' 7 3/16"

21' 0"

20' 0"

43' 0"

43' 0"