

**Zoning Appeals Petition**

For Office Use	Date: <b>8/28/2023</b>	Receipt #: <b>4903</b>	Planner: <b>AH</b>	BZA - <b>2126</b>
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**SUBJECT PROPERTY**

Address or Site Location: 906 Princess Drive, West Lafayette, IN 47906

Parcel ID #(s): 79-07-07-377-002.000-026

Zoning District: R1	Current Land Use: single family residential
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Full Legal Description (*Attach separately if more space is needed.*):  
Richard Ritenour S D Lot 2

<b>PETITIONER</b>	<b>REPRESENTATIVE</b> ( <i>Complete if applicable.</i> )
Name: Clinton M. Korty	Name: Laura Korty
	Company: spouse
Address: 906 Princess Drive, West Lafayette, IN 47906	Address: 906 Princess Drive, West Lafayette, IN 47906
Telephone: 765-479-3941	Telephone: 765-491-2482
Email: clintonkorty@yahoo.com	Email: clkorty@gmail.com

**PROPERTY OWNERSHIP** (*Complete if the petitioner is not the sole owner of the subject property.*)

Property Owner	Property Owner
Name:	Name:
Address:	Address:
Telephone:	Telephone:
Email:	Email:

### Zoning Appeals Petition

#### REQUEST

Type of Appeal Sought:

**Variance** (Attach Form 21V.)

**Special Exception** (Attach Form 21S.)

**Appeal of Administrative Officer's Decision**

Detailed Description of Request (See instructions for proper formatting.):

We request a Special Exception to allow a transient guest house for a maximum of 8 guests in a R1 zone that would operate 24 hours per day, 7 days per week. We are Tippecanoe County residents and are able to be available should issues arise with renters and respond to any noise notifications from the noise monitor. Attached are the house rules.

#### ACKNOWLEDGEMENT

I/We, the petitioner, hereby certify that the information contained above and in the attached forms is true and correct to the best of my/our knowledge, and that I/we are the owner(s) of the subject property or have the consent of all of the owners to file this petition. Permission is also hereby granted for the staff of the Area Board of Zoning Appeals to access the property, if necessary, in order to collect information as part of the review of this petition.

  
Signature

08-28-2023  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## House Rules

**906 Princess Drive, West Lafayette, IN 47906**

- 1) A maximum of 8 guests are allowed to stay overnight at the property.
- 2) No un-registered guests are allowed on the property between the hours of 10pm EST and 6am EST.
- 3) All guests must abide by all city ordinances.
- 4) No illegal substances
- 5) The minimum age to rent the property is 25 or exceptions will be made for ages 21 years to 24 years old that have a minimum of three positive reviews and no negative reviews.
- 6) No smoking, vaping, hookah, cigars, or e-cigarettes are allowed inside the house or garage or within 5 feet of the house or garage. Any waste (cigarette butts, cartridges, etc.) are to be completely extinguished and dipped in water then disposed of in the outside trashcan.
- 7) Lids on all trashcans and recycling bins are to be kept closed.
- 8) All debris, trash, and recycling are to be put in corresponding trash/recycling receptacles and not left on the ground anywhere on the property.
- 9) No trespassing onto neighboring properties is allowed.
- 10) Parking is only allowed on the driveway of the property or where public street parking is permitted by the City of West Lafayette. No parking on grassy areas is allowed. Occupants are limited to a maximum of four vehicles parked in the driveway and/or street.
- 11) No parties are allowed on the premises.
- 12) Occupants will keep noise to a minimum and not violate any local noise ordinances.
- 13) Occupants will notify the emergency numbers immediately (765-491-2482 or 765-479-3941) for any mechanical, electrical, plumbing, or structural defects or stops working.
- 14) Check-in time will be 3:00pm EST and Check-out time will be 11:00am EST, unless prior approval for early check-in or late check out is granted from the owner.
- 15) No pets are allowed on the property without prior approval from the owner and an additional non-refundable \$200 deposit.
- 16) No changing of locks or disabling any security or noise monitoring devices.
- 17) Guest agrees to pay for any damages exceeding the deposit.
- 18) Additional cleaning is an extra fee.
- 19) The following can NOT be put down the garbage disposals: fats, oils, grease, coffee grounds, fruit pits, fibrous vegetables, potato peels, trash, eggshells, onion skins, pasta, starchy foods, bones, or chemicals.

**Findings of Fact for Special Exceptions**

BZA - **2126**

**PETITIONER**

Name: **Clinton M. Korty**

**FINDINGS**

WHEN considering a special exception request, the Area Board of Zoning Appeals (ABZA) uses the following criteria to approve, conditionally approve, or deny a special exception, and the petitioner must address each one of them. A special exception may be approved by the ABZA only upon a determination that all of the following are true:

1. Section 3-2 of the Unified Zoning Ordinance authorizes the special exception for this use in this zoning district (*Select One.*): Yes
  
2. The requirements and development standards for the requested use as prescribed by the Unified Zoning Ordinance will be met because:  
Use of the property as a transient guest house will not require any modifications to the property that would require a variance. The property currently meets all standard deminsional requirements for lot area, lot width, height, structure percentage, vegetation percentage, front, back and side setbacks. The property also has more than the required parking spaces for a R1 zoning as prescribed in the Unified Zoning Ordinance.
  
3. Granting this special exception will not subvert the general purposes served by the Unified Zoning Ordinance because:  
Granting the special exception for the property to be used as a transient guest house will not subvert the general purposes served by the Unified Zoning Ordinance because the property will be used in the same manner that a single family residence would utilize the property, thus not impacting the health or safety of the neighborhood.

4. Granting this special exception will not materially and permanently injure other property or uses in the same zoning district and vicinity because of:

a. Traffic generation. Reasons:

A special exception will not materially and/or permanently injure other property of uses in the same zoning facility because the house rules will limit the number of vehicles allowed while occupants of the property. The number of vehicles is set at four which is less than the number of vehicles when the property was owner occupied.

d. Placement of outdoor lighting. Reasons:

A special exception will not require a change in the placement of outdoor lighting from when it was an owner occupied dwelling. Thus not impact property or uses in the vicinity differently than when the property was owner occupied.

b. Noise production. Reasons:

A special exception will not create an increase in noise production at the property or impact property or uses in the vicinity in a negative manner. The house rules state that no parties are allowed, the maximum number of people allowed at the property overnight, hours in which unregistered guests can be on the property, and a noise monitoring system will be used to alert property owner of any unreasonable noise that may disturb neighbors.

c. Hours of operation. Reasons:

Granting a special exception for the property will not impact other properties or uses in the vicinity due to the property was in use 24 hours a day, 7 days a week, 365 days a year when it was owner occupied.

Form 2

The Area Plan Commission of Tippecanoe County, Indiana  
The Area Board of Zoning Appeals of Tippecanoe County, Indiana

20 N. 3<sup>rd</sup> St.  
Lafayette, IN 47901  
(765) 423-9242  
apc@tippecanoe.in.gov

### Notice of Public Hearing Release

Case #:

**NEWSPAPER**

Journal and Courier

**APPLICANT/PETITIONER (or REPRESENTATIVE)**

Name: Laura Korty

Address: 906 Princess Drive, West Lafayette, IN 47906

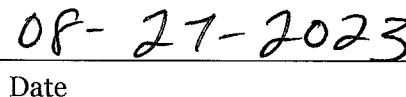
Telephone: 765-491-2482

Email: clkorty@gmail.com

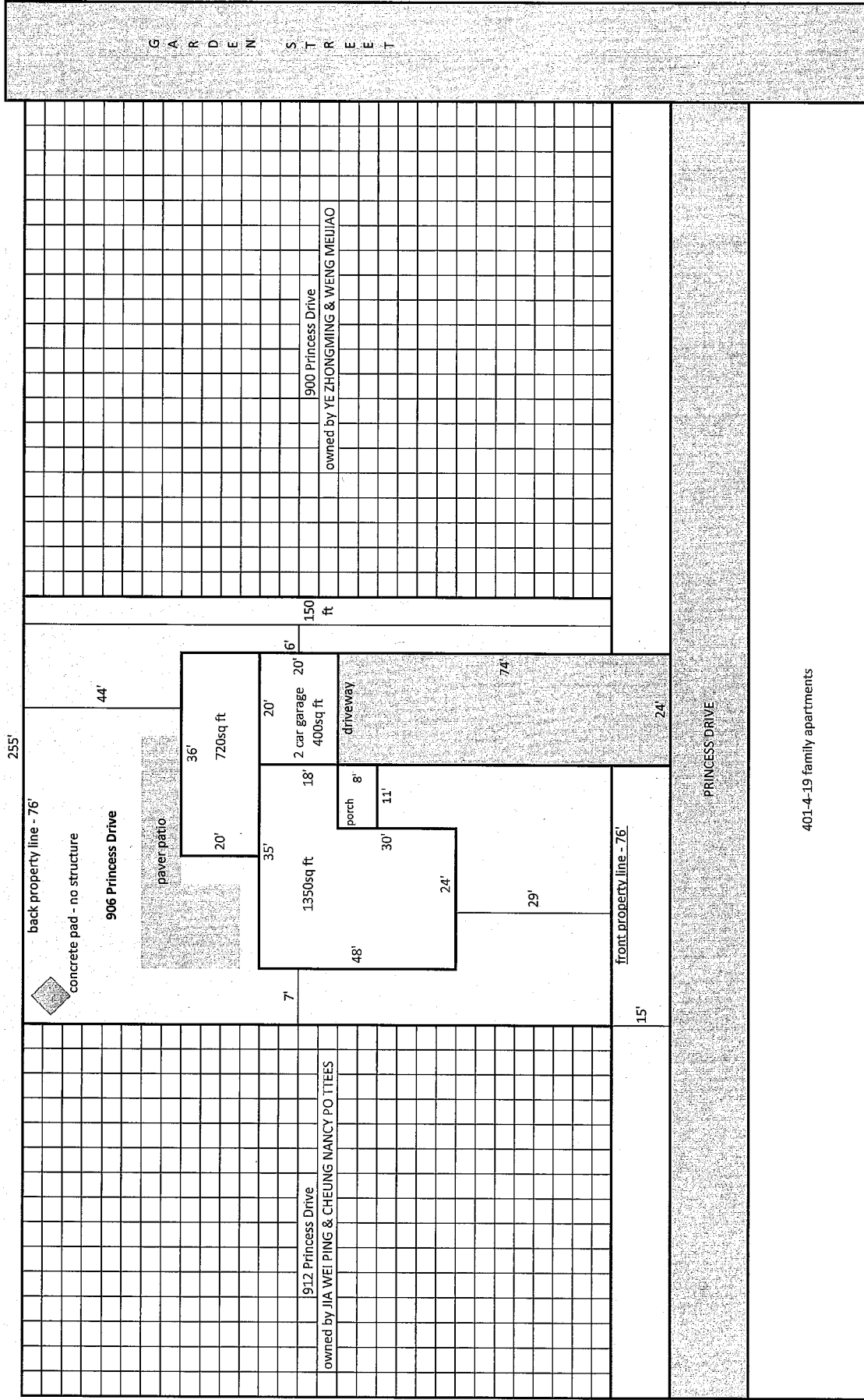
**ACKNOWLEDGEMENT**

I hereby authorize the Area Plan Commission of Tippecanoe County (APC) or the Area Board of Zoning Appeals of Tippecanoe County (ABZA) to publish the required notice of public hearing for my case in the above-listed newspaper on my behalf. I also authorize the newspaper to bill me directly for the cost to publish this notice. I acknowledge that I am financially responsible for the cost of publishing the notice, and that failure to timely pay this cost may result in the notice not being published in the timeline required by the APC or ABZA bylaws, as well as my case being automatically continued to the next hearing of the APC or ABZA.

  
Signature

  
Date

Special Exception Petition for 906 Princess Drive West Lafayette, IN 47906  
 Clinton M. Korty, owner (765-479-3941) or Laura Korty, representative (765-491-2482)



906 Princess Drive: 4 bedrooms, 2.5 baths, entryway, hallway, living room, kitchen, dining room, sun room, 2 car garage, and an unfinished basement  
 Current zoning: R1  
 Lot width: 76'  
 Front set back: 27'  
 Back set back: 44'  
 Lot size: 11,400sq ft  
 Structure less than 30% lot coverage and at least 40% vegetation lot coverage  
 West side set back: 7'  
 East side set back: 6'

**Notice of Public Hearing to Interested Parties**

TO WHOM IT MAY CONCERN:

BZA - 2126

You are receiving this notice because you own property near land which is the subject of a pending public hearing of the Area Board of Zoning Appeals of Tippecanoe County (ABZA), scheduled for **Wednesday, September 27 at 6:00 PM** in the Tippecanoe Room of the County Office Building, 20 North 3<sup>rd</sup> Street, Lafayette, Indiana 47901. At this hearing, the ABZA will consider the following case:

**REQUEST**

Petitioner and owner, represented by Laura Korty, is requesting a special exception to allow a transient guest house operating 24 hours per day, 7 days per week, for a maximum of 8 guests in an R1 zone. The property is located at 906 Princess Drive, West Lafayette, in Wabash 07 (SW) 23-4.

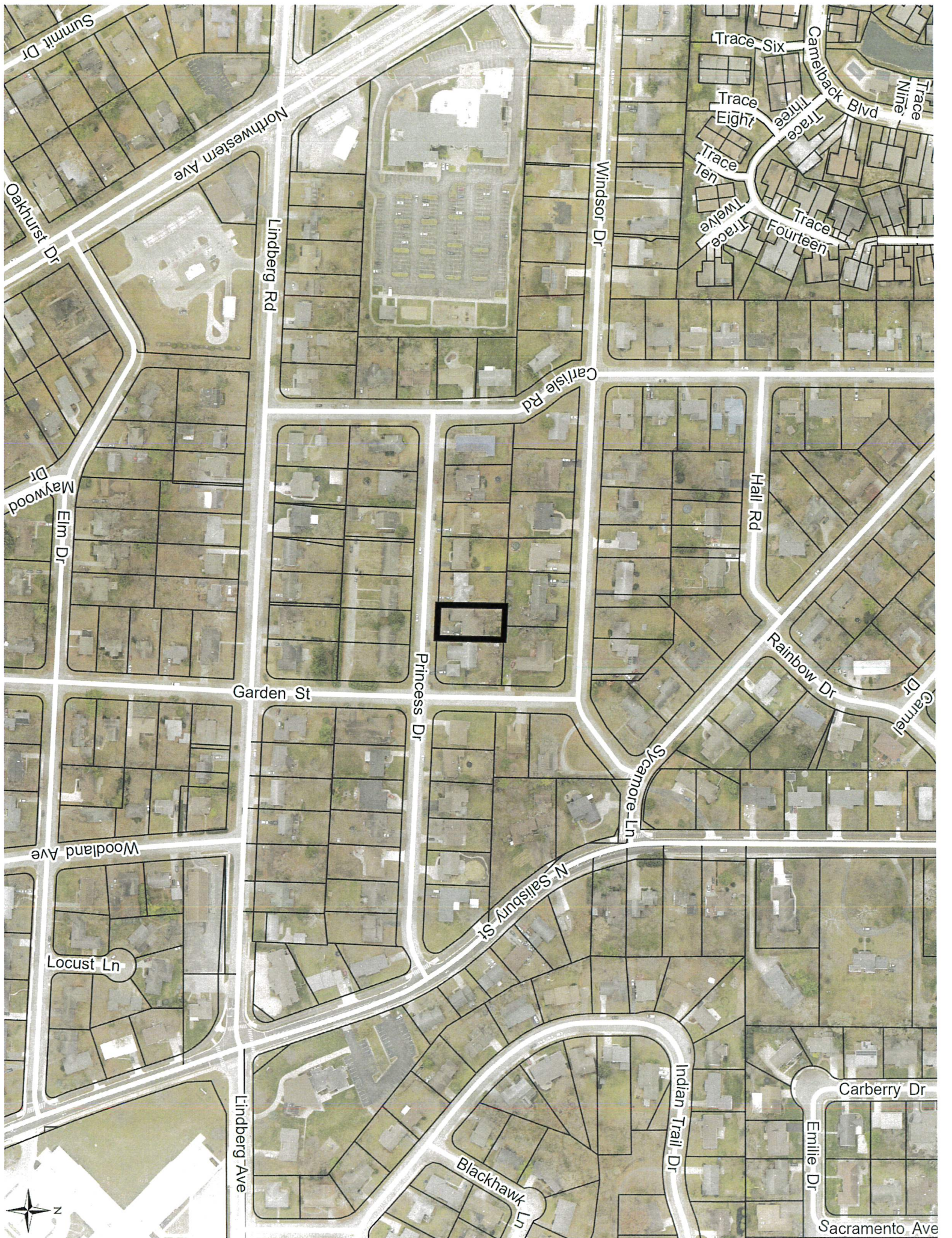
Persons wishing to speak to this matter, either for or against, will be given an opportunity to do so at the public hearing in accordance with the ABZA Bylaws. Since the public hearing may potentially be continued (rescheduled) to a future date, please contact the staff of the ABZA prior to the scheduled public hearing to learn if a continuance is anticipated.

Letters, either in support of or opposition to the request, which are mailed, hand-delivered or emailed to the ABZA office no later than 10:00 AM eight calendar days prior to the hearing date, will be included in the hearing packet that is published and provided to members of the ABZA. Letters received after that time will be included in the case file and made available to members of the ABZA at the hearing.

Details of the case are on file and available for public review at the offices of the Area Board of Zoning Appeals of Tippecanoe County, 20 North 3<sup>rd</sup> Street, Lafayette, Indiana 47901, Monday through Friday, 8:00 AM to 4:30 PM. Interested parties with questions or concerns about the case are encouraged to contact the petitioner and/or ABZA staff prior to the hearing, as noted below:

PETITIONER (or REPRESENTATIVE)	ABZA STAFF
Name: Laura Korty	Address: 20 N 3rd St., Lafayette, IN 47901
Telephone: 765-491-2482	Telephone: (765) 423-9242
Email: clkorty@gmail.com	Email: apc@tippecanoe.in.gov





BARTOLACCI MARY JO  
906 LINDBERG RD  
WEST LAFAYETTE, IN 47906

BELLISARIO IRIS AEMILIA O'DONNELL  
912 LINDBERG RD  
WEST LAFAYETTE, IN 47906

CHURCH TOMMY B  
909 WINDSOR DR  
WEST LAFAYETTE, IN 47906

CULURCIELLO EUGENIO & LEE KYOUNI  
923 WINDSOR DR  
WEST LAFAYETTE, IN 47906

ELAYKEN LLC  
313 COLUMBIA ST  
LAFAYETTE, IN 47901

FISHER MARY K  
906 WINDSOR DR  
WEST LAFAYETTE, IN 47906

HCH FUND LLC  
PO BOX 1458  
LAFAYETTE, IN 47902

JIA WEI PING & CHEUNG NANCY PO TT  
136 GENNESSEE ST  
SAN FRANCISCO, CA 94112

~~KORTY CLINTON M  
906 PRINCESS DR  
WEST LAFAYETTE, IN 47906~~

*petitioner*

O'CONNOR LEO S  
918 PRINCESS DR  
WEST LAFAYETTE, IN 47906

PASCUZZI PETER E & IYER-PASCUZZI A  
917 WINDSOR DR  
WEST LAFAYETTE, IN 47906

PINTO ROBERT J & KARIN A  
901 WINDSOR DR  
WEST LAFAYETTE, IN 47906

POSTY PROPERTIES LLC  
926 MAIN ST  
LAFAYETTE, IN 47901

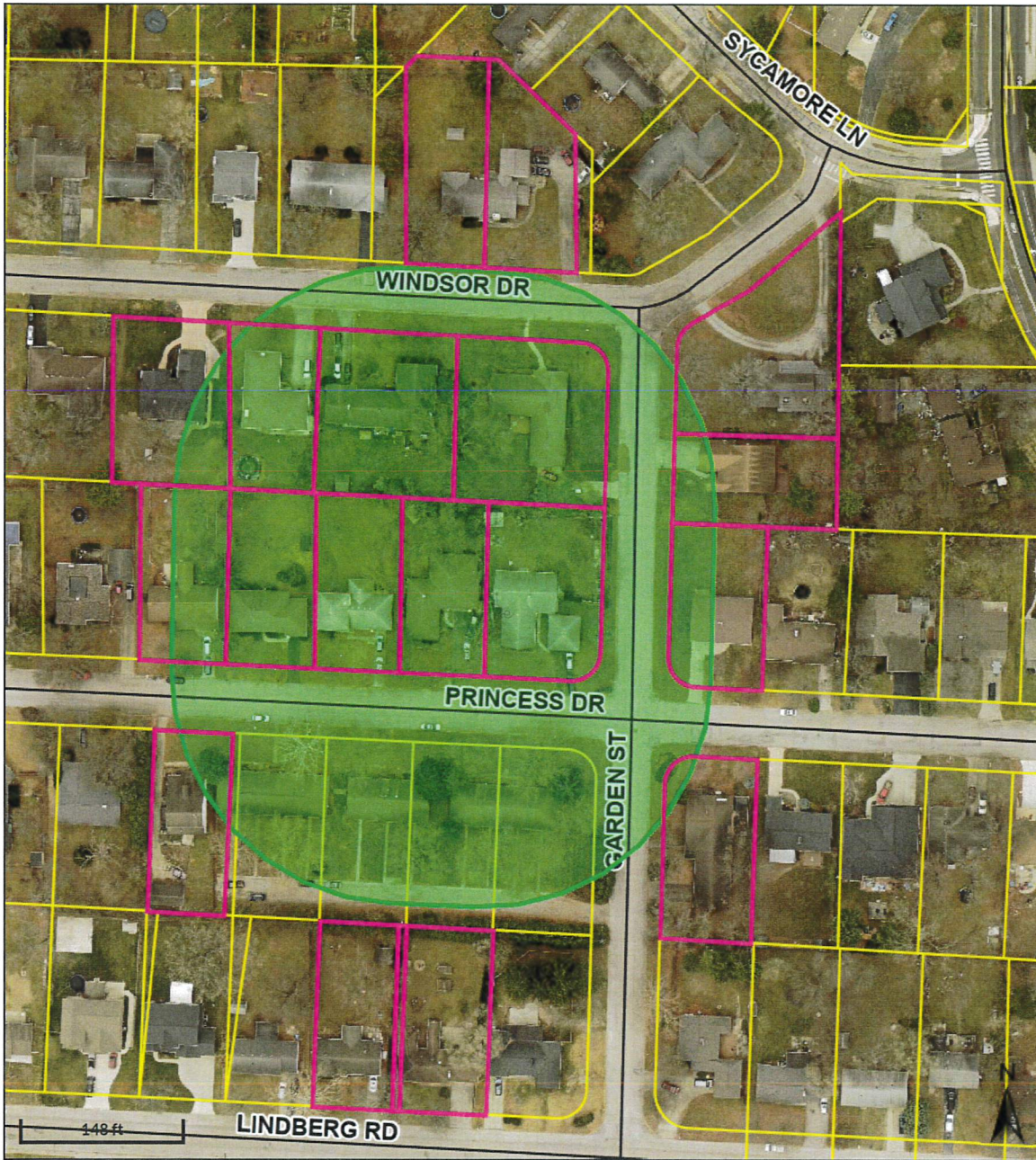
ROBINSON BARRETT F JANET D TTEES  
PO BOX 2346  
WEST LAFAYETTE, IN 47996-2346

SPRING INVEST LLC  
1281 WIN HENTSCHEL BLVD SUITE 130  
WEST LAFAYETTE, IN 47906

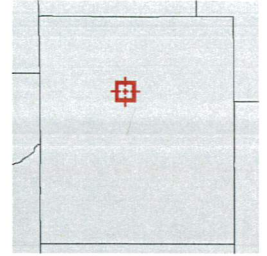
WU HAO & TU HUIFANG  
927 PRINCESS DR  
WEST LAFAYETTE, IN 47906

YE ZHONGMING & WENG MEIJIAO  
900 PRINCESS DR  
WEST LAFAYETTE, IN 47906

BZA 2126 Clinton Korty  
Special Exception



Overview



Legend

- Parcels
- Make Tax Payment
- County Boundary
- Roads

Date created: 8/29/2023  
Last Data Uploaded: 8/29/2023 5:50:36 AM

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