

Form **21**

The Area Board of Zoning Appeals of Tippecanoe County, Indiana  
**Zoning Appeals Petition**

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

For Office Use	Date Received: 11/6/31	Planner: J. BURKS	BZA - 2136
<b>PETITIONER</b>		<b>REPRESENTATIVE (Complete if applicable.)</b>	
Name: <i>Cyrus Giroir</i>		Name:	
Attention:		Company:	
Address: <i>505 S 3rd st. Lafayette IN. 47905</i>		Address:	
Telephone: <i>504-382-1246</i>		Telephone:	
Email: <i>russgiroir@gmail.com</i>		Email:	
<b>SUBJECT PROPERTY</b>			
Address or Site Location: <i>505 S 3rd st. Lafayette IN. 47905</i>			
Parcel ID #(s): <i>79-07-29-259-017.000-004</i>			
Zoning District: <i>R2U</i>		Current Land Use: <i>Two Family Home</i>	
Full Legal Description (Attach separately if more space is needed.): <i>Lot numbered Eleven (11) in Solomon Romig's Addition of the Town, now City of Lafayette, Indiana, as plated upon the West half of the Northeast Quarter of Section Twenty (20), Township Twenty-three (23) North, Range Four (4) West. Located in Fairfield Township, Tippecanoe County, Indiana.</i>			
<b>SUBJECT PROPERTY OWNERSHIP (Complete if the petitioner is not the owner of the subject property.)</b>			
Property Owner (Attach Form 1.)		Property Owner (Attach Form 1.)	
Name:		Name:	
Address:		Address:	
Telephone:		Telephone:	
Email:		Email:	

**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.):

*A special exception to allow a transient guest house with a maximum of 6 guests in an R2U zoning district. We originally applied for a transient guest rental license, but were denied and the city asked that we seek a transient guest house license instead. We were told by Dave Griffie that he and his staff would support our petition. Though this now our primary residence, it was determined that because we have not occupied our new home for 6 months or longer that the Guest House Permit would be more appropriate.*

*We are zoned and are occupied as an R2U and our permanent tenant as well as folks in the community who are familiar with the former church and its history are supportive and enthusiastic about our having the ability to welcome occasional guests into our home.*

**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

Cyrus Girard

Printed Name

11/6/23

Date

Signature

Printed Name

Date

BZA - 2136

**PETITIONER**

Name: *Cyrus Giroir*

**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:  
*These standards shall be met as no further alterations to the property will be made in order to operate our transient guest house. The house, which was a former church has been fully bought up to residential code and has passed the highest standards and inspections in August of 2023.*
  
3. Granting this special exception will not subvert the general purposes served by the Unified Zoning Ordinance because:  
*Becoming a transient guesthouse will not subvert the purposes of the unified zoning ordinance because it will be operated at the highest standards of sanitation, and with stewardship to the neighborhood. The owners occupy the building as their primary residence, and will have regular contact with guests, as well as Neighbors and will keep the area clean of clutter, pest-free, and in good working shape and order. At no point would there be waste or clutter that could impact the welfare of our neighbors, their general health or the neighborhood as a whole.*



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:

*The residence has a parking exception through the City of Lafayette due to the limited impact on street parking vs with the previous use, a church, that had a large impact on street parking. Most of the surrounding neighbors have private drives and informed the owners they had no issues with parking on the street.*

- d. Placement of outdoor lighting. Reasons:

*There will be no further outdoor lighting added because of this special exemption. We have no outdoor area for guest to congregate, no area that might require additional light.*

- b. Noise production. Reasons:

*Should the special exception be granted we have a harm reduction plan in place which includes how to prevent excess noise and what to do if a noise complaint is placed. We will be limiting guests to a maximum of 6 and having a strict no parties or guests policy, coupled with posted quiet hours from 9pm-7am these will both be enforceable rules as two of the owners occupy the house and for times when the owners are away a 3rd owner, lives four blocks away and can respond to any noise or disturbances reported by the neighbors. Included in our harm reduction plan is also having a close and functioning relationship with the neighbors who have all three owner cellphone numbers. In addition, there are no outdoor spaces that can be used for gatherings of any size (ie, cooking out, sun bathing, sports, etc).*

- c. Hours of operation. Reasons:

*Hours of operation are 24 hours a day seven days a week. The reason for this is we are asking for a special exception to become a transient guest house wherein we can welcome guests for over night stays in our residence. Though 24/7 is our asked hours of operation guest check-in is from 3pm-10pm. Guests arriving later than 10pm will be accompanied by the owners of the house to help reduce noise and activity at night.*



Form 1

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  
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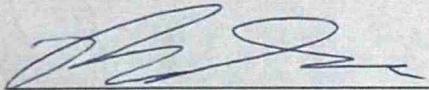
### Property Owner Consent

SUBJECT PROPERTY OWNER	APPLICANT/PETITIONER
Name: <i>Cyrus Giroir</i>	Name: <i>Cyrus Giroir</i>
Address: <i>505 S 3rd st. Lafayette IN. 47905</i>	Address: <i>505 S 3rd st. Lafayette IN. 47905</i>
Telephone: <i>504-382-1246</i>	Telephone: <i>504-382-1246</i>
Email: <i>russgiroir@gmail.com</i>	Email: <i>russgiroir@gmail.com</i>

SUBJECT PROPERTY
Address or Site Location: <i>505 S 3rd st. Lafayette IN 47905</i>
Parcel ID #(s): <i>79-07-29-259-017.000-004</i>

### CONSENT

I/we, the undersigned, being the owner or one of the owners of the subject property above, hereby authorizes the applicant/petitioner listed above to execute any and all documents necessary for the purpose of requesting rezones, subdivisions, and/or zoning appeals (including variances, special exceptions, and appeals of the administrative office's decision), as per the attached application or petition. (Please note that this property owner consent does not extend to subdivision final plats, which must be signed by the owner(s).)

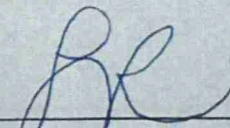
 \_\_\_\_\_ *Cyrus Giroir* \_\_\_\_\_ *11/6/23*  
 Signature Printed Name Date

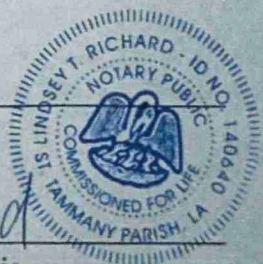
\_\_\_\_\_  
 Signature Printed Name Date

STATE OF Louisiana )  
 COUNTY OF St. Tammany ) SS:

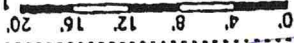
Subscribed and sworn to before me this 6<sup>th</sup> day of November, 2023

My commission expires: at death  
 County of Residence: St. Tammany

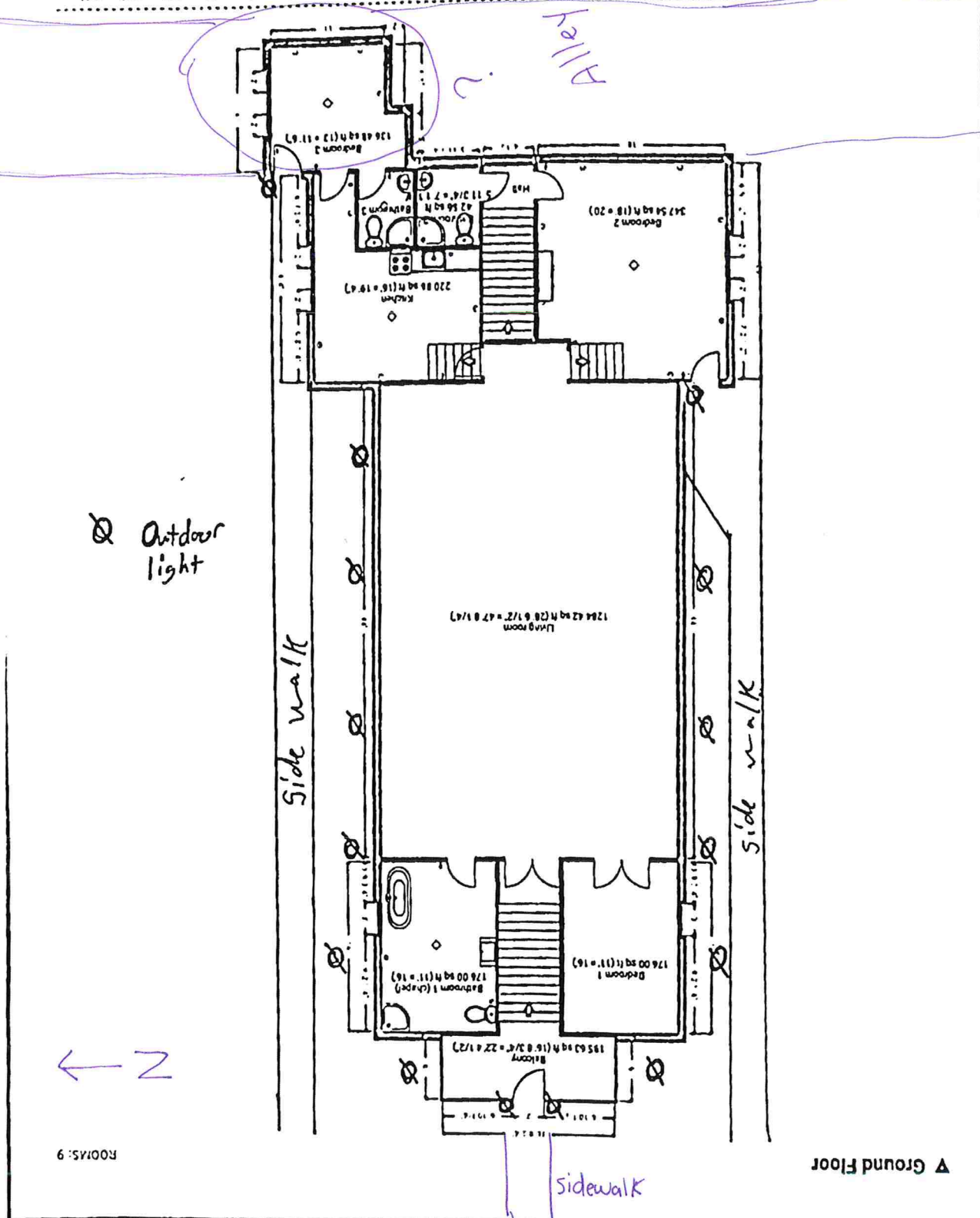
 \_\_\_\_\_  
 Signature of Notary Public  
Lindsey T. Richard  
 Printed Name of Notary Public







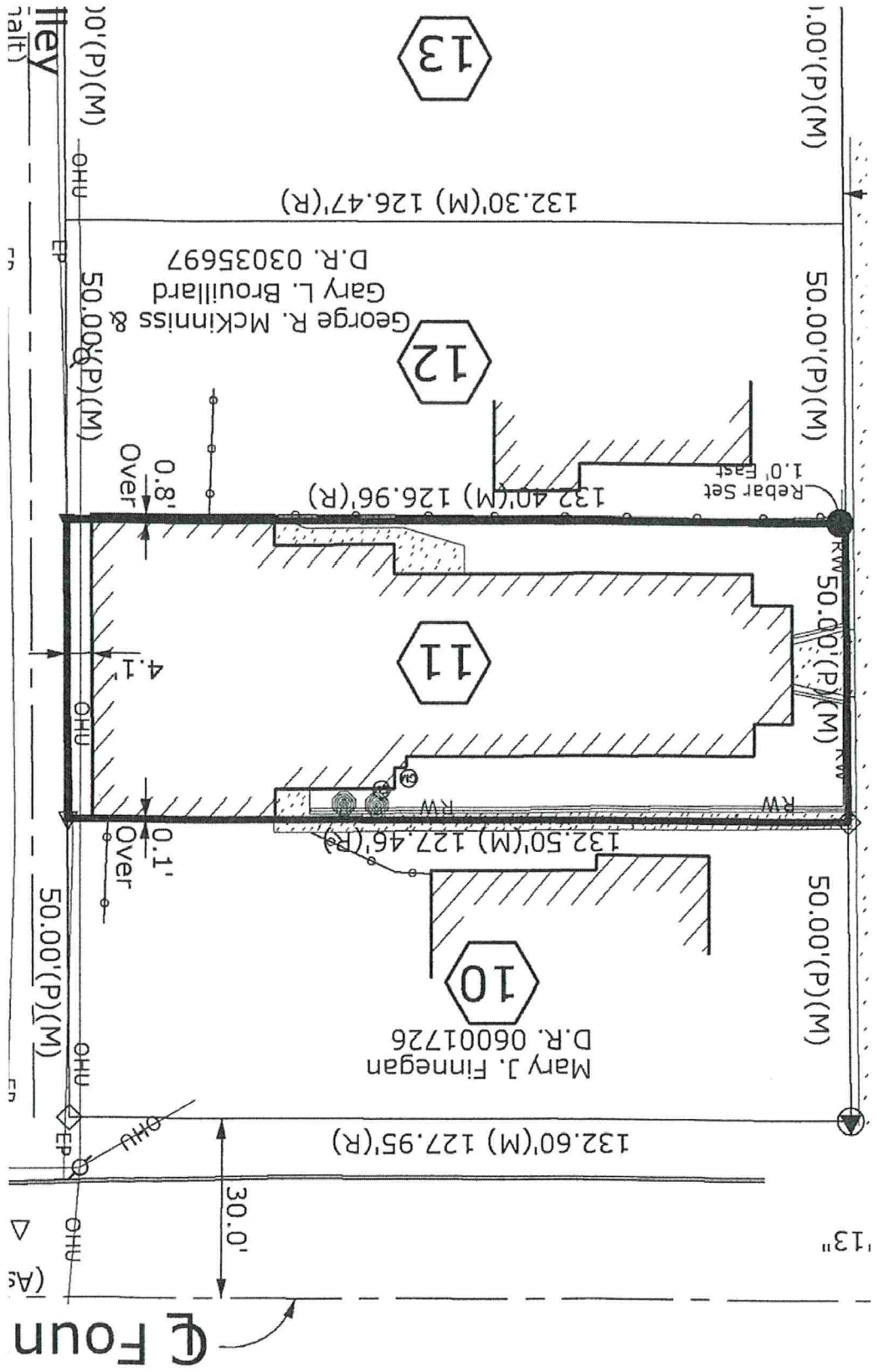
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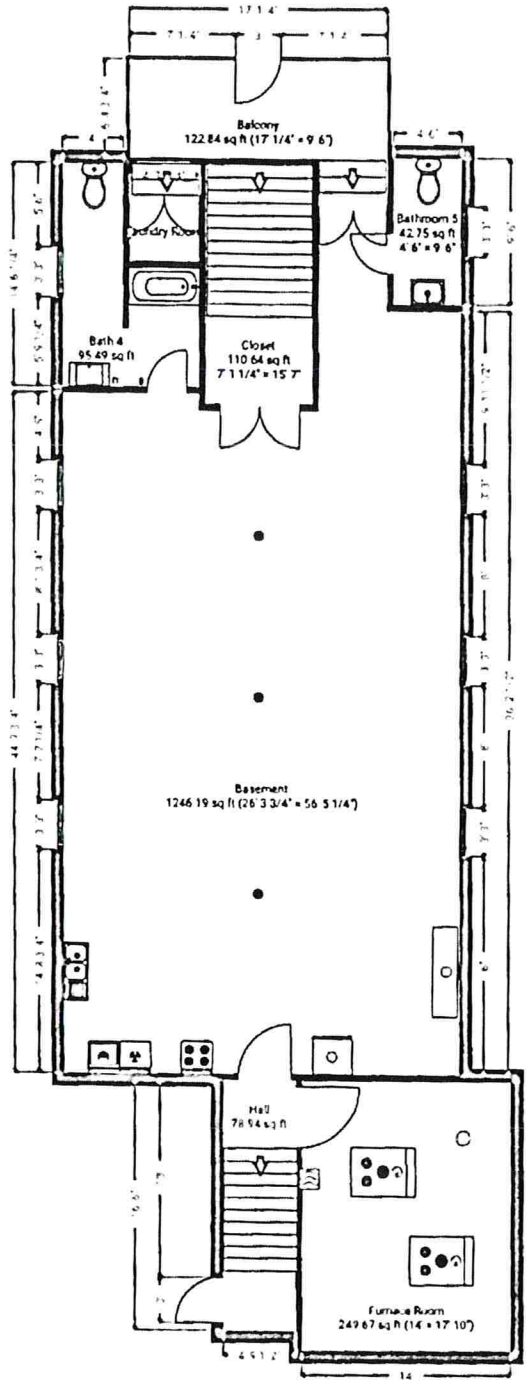


ROOMS: 9

△ Ground Floor

3rd St

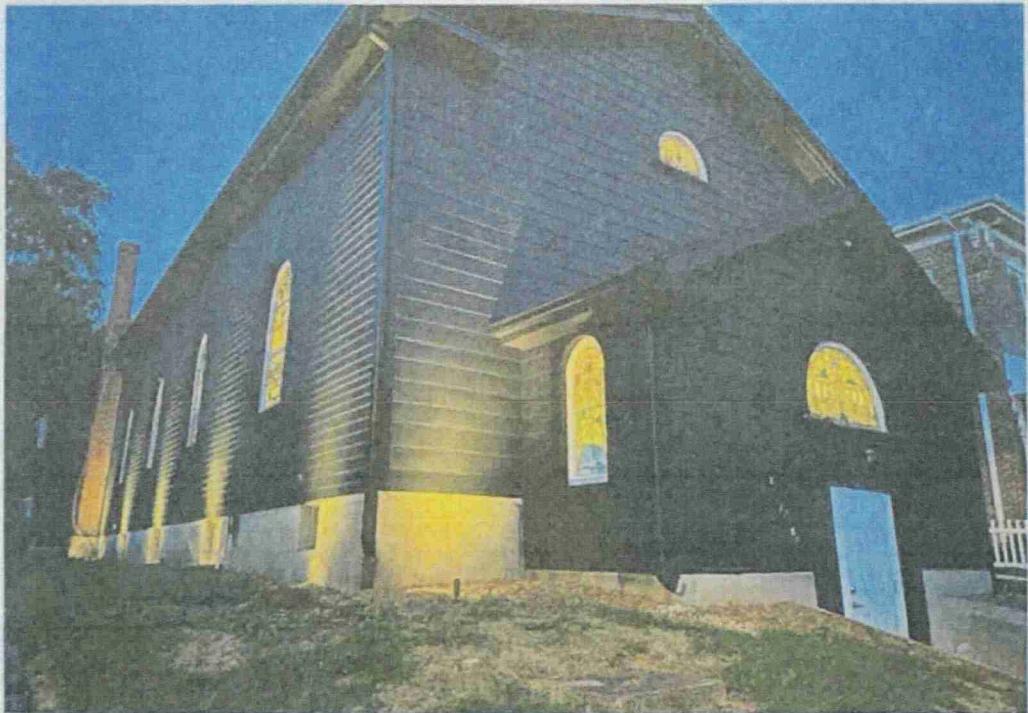
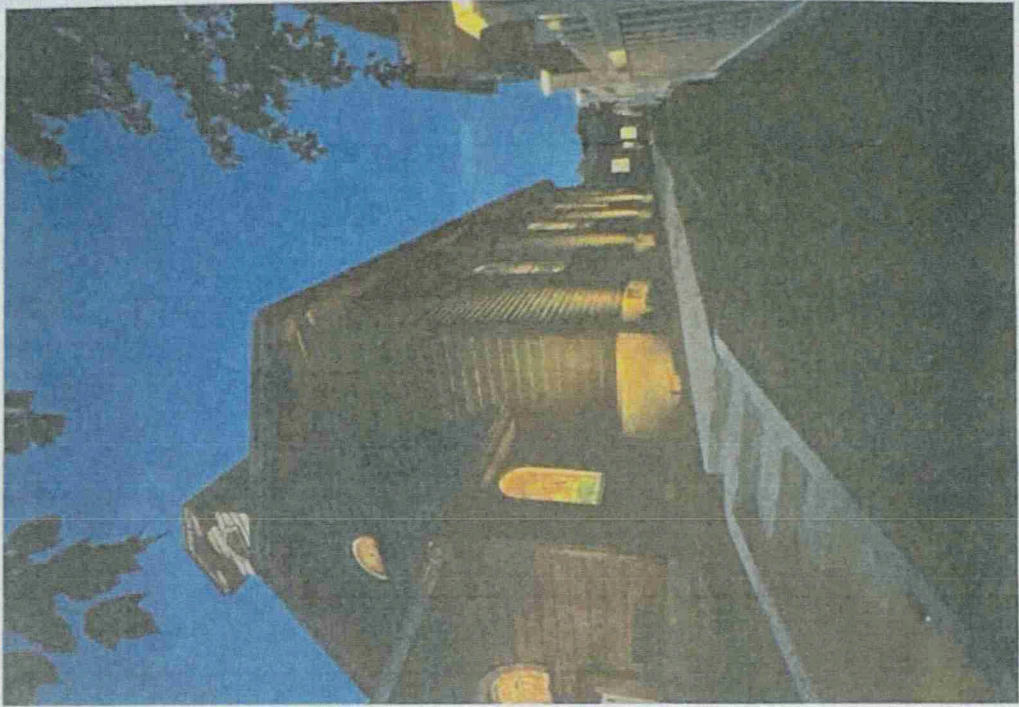




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Form 2

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.  
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apc@tippecanoe.in.gov

### Notice of Public Hearing Release

Case #: BZA-2136

#### NEWSPAPER

Journal and Courier

#### APPLICANT/PETITIONER (or REPRESENTATIVE)

Name: Cyrus Giroir

Address: 505 S 3rd st. Lafayette IN. 47905

Telephone: 504-382-1246

Email: russgiroir@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

11/6/23

Date