

**Zoning Appeals Petition**

For Office Use	Date Received: 4/16/24	Planner: J. BURNS	BZA - 2154
<b>PETITIONER</b>		<b>REPRESENTATIVE (Complete if applicable.)</b>	
Name: <del>Catherine Cavanaugh</del> Casa Boiler, LLC		Name:	
Attention: CC 4/26/24		Company:	
Address: PO Box 3896 West Lafayette, IN 47906		Address:	
Telephone: 505.410.8080		Telephone:	
Email: casaboilerwl@gmail.com		Email:	
<b>SUBJECT PROPERTY</b>			
Address or Site Location: 920 Carrolton Blvd West Lafayette, IN 47906			
Parcel ID #(s): 79-07-18-180-008.000-026			
Zoning District: WEST LAFAYETTE CITY-WLSC-B		Current Land Use: Single-family Dwelling	
Full Legal Description (Attach separately if more space is needed.): BROWNOLME ADDN LOT 3 & 5' E SIDE LOT 2 Wabash Township 1/4(NW) 23-4.			
<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: CASA BOILER, LLC		Name:	
Address: SAME AS ABOVE		Address:	
Telephone:		Telephone:	
Email:		Email:	

# Zoning Appeals Petition

## REQUEST

- Type of Appeal Sought:
- Special Exception** (Attach Form 21S.)       **Variance** (Attach Form 21V.)
- Appeal of Administrative Officer's Decision**

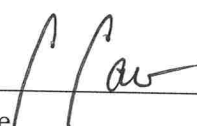
Detailed Description of Request (See instructions for proper formatting.):

A special exception to allow a transient guest house with a maximum of 8 guests in an R1 zoning district.

Please see the attached letter for more information about this request.

## 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 

\_\_\_\_\_  
 Printed Name Catherine Cavanaugh, Member

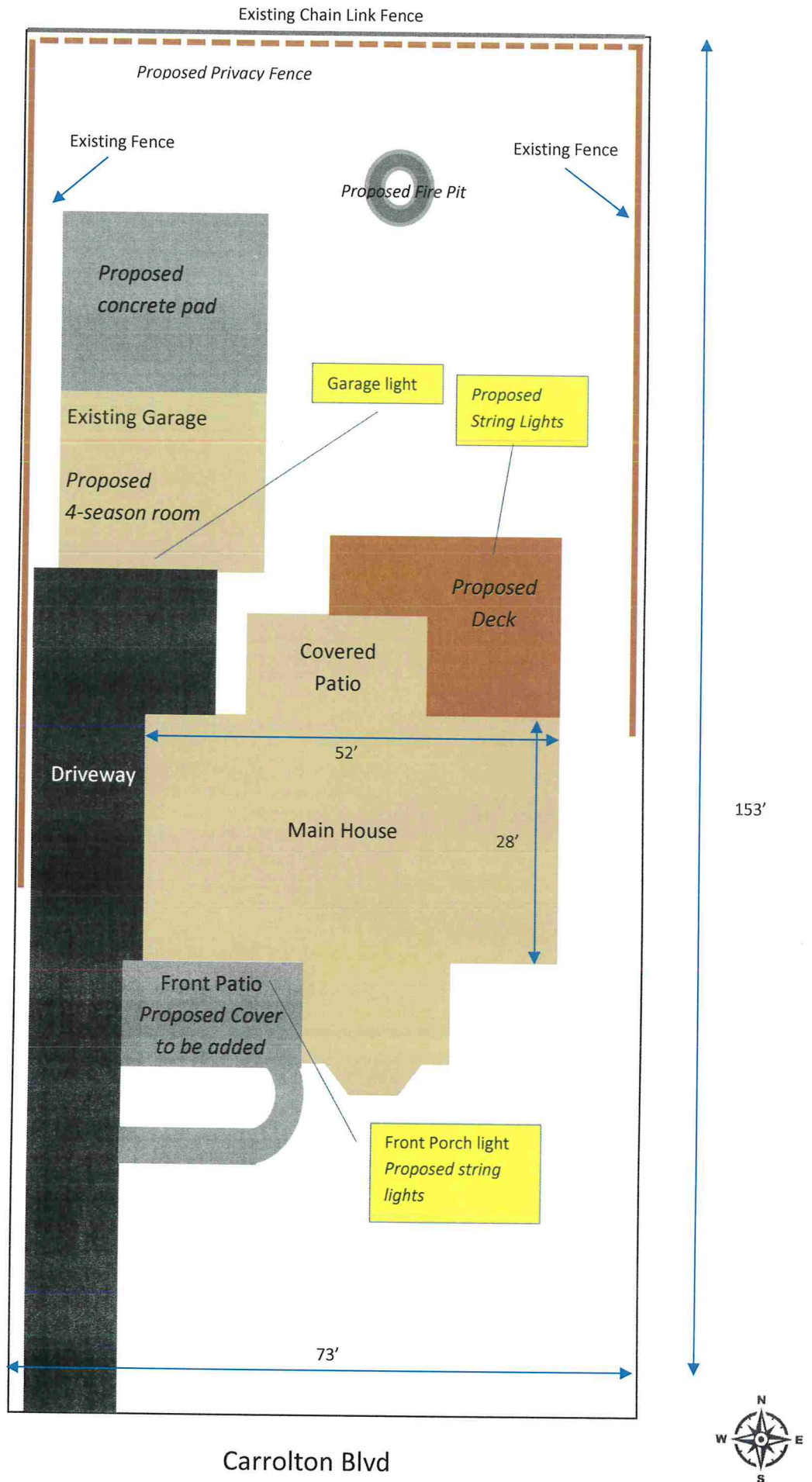
\_\_\_\_\_  
 Date 04/16/2024

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Printed Name

\_\_\_\_\_  
 Date

Site Map:  
920 Carrollton Blvd  
West Lafayette



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 #: 2154.

**NEWSPAPER**

Journal and Courier

**APPLICANT/PETITIONER (or REPRESENTATIVE)**

Name: Catherine Cavanaugh

Address: PO Box 3896, West Lafayette, IN 47906

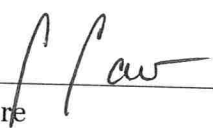
Telephone: 5054108080

Email: casaboilerwl@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

4/16/2024

BZA - 2154

**PETITIONER**

Name: Catherine Cavanaugh

**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:  
*All standards are met as shown on the site plan.*

*Any additions or alterations made to the property will adhere to any and all UZO's. We plan to add a deck to the back of the house, re-do the crumbling front porch and add a cover, paint the exterior, re-landscape the front and back, to convert the garage to a 4-seasons room, to add a concrete pad behind the garage and possibly a fire pit in the grass.*

3. Granting this special exception will not subvert the general purposes served by the Unified Zoning Ordinance because:  
*Operating a guest house on this property will not subvert from the UZO because the home will not bring more than the normal level of traffic to the area.*

*Living next door to the property, I will be able to closely monitor activity and will notify all guests that I will not tolerate excessive noise during quiet hours which will begin at 9:30pm on weekdays and 10:00pm on weekends. This short-term rental will not impact the safety or health of the neighborhood because I will not permit any unsafe activities on the property and all gatherings will be limited to 10 persons or less.*

*As a resident of the same neighborhood, I am deeply concerned about and invested in maintaining the highest standards of safety, neighborliness, and value of the property and neighborhood. I intend to improve the aesthetics of this property so that it is restored to the high quality of the homes that surround it.*

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 home is currently inhabited by four undergraduate students, and each has a vehicle. At least three are routinely parked on the street in front of the house.*

*The over 75-foot-long driveway can easily hold three cars and guests will be asked to make use of the driveway before using street parking. If the house is fully occupied that would equal one more car on the street, which is still less than our street currently sees.*

b. Placement of outdoor lighting. Reasons:

*The property has a front porch light and light over the garage.*

*I plan to add a string of small patio lights once the deck is completed. I will ask guests to turn off the patio lights at bedtime.*

c. Noise production. Reasons:

*I will allow guests to have gatherings of no more than 10 persons during their stay, but they must notify me of their intentions to have daytime guests (no overnight) and hours of 9:30 PM on weekdays and 10:00p.m. on weekends. Although there are transient guest houses that allow loud gatherings, I will make it clear in the contract that this is not one of those properties. With my close proximity and a shared driveway, it will be very easy to monitor all activity.*

d. Hours of operation. Reasons:

*My intended use of this house is primarily as a guest house for my visiting family and friends. I am applying for the special exemption so that we will have the option for our neighbors to be able to rent it out for their out-of-town guests. With its proximity to the University, and our connections with several departments, we plan to advertise directly to departments with visiting lecturers and their families. Several neighbors have already indicated a desire to rent for their families and willingness to facilitate a connection with their respective departments.*

*When the property is occupied by guests, it will operate 24 hours a day/7 days a week.*

April 16, 2024

To the Members of the Area Board of Zoning Appeals,

My name is Cathy Cavanaugh, and I am seeking a special exception for a short-term rental at 920 Carrollton Blvd. My family and I live next door, directly west of this property, and we share a driveway. From my kitchen window, I have a perfect view into the backyard.

We have lived in West Lafayette for just under three years. We rented our current home after touring the house on zoom during the pandemic. Although the property was available in January, the owner was able to hold the property for us until June because she was able to make it a short-term rental and defray the cost. We were very grateful to her and ultimately asked her if we could purchase the home in April of 2022.

As our family has settled into life in this wonderful community, we have started to look to the future. My in-laws are both in their 80s and continue to live in a 2-story house outside of Chicago. Although their health is good now, we have agreed to be their primary caregivers and know that independent living will soon be a challenge for them. The idea came to us to purchase the home next door and make it a place where they could receive long term care with us immediately available.

For the last 7 years, 920 Carrollton has been a student rental, and it will need significant repairs and upgrades to make it safe and practical for an elderly couple. These upgrades will of course come at a significant cost. In the time before our in-laws may inhabit the home, we will be using it as a guest house for our friends and family. To offset our costs, we would also like the option to rent the home to other respectful short-term guests until the appropriate time comes for my in-laws to take the next step.

As a contributing member of this community, I too have been concerned about the growing number of short-term rentals as they pull family homes out of the market in the West Lafayette School District. I have been a substitute teacher and a loyal weekly volunteer at the Intermediate School library since we moved here. I know well how important caring and involved families are to the success of our schools.

With that said, if we were not aggressive about buying 920 Carrollton (it was not listed for sale), it would continue to be student housing for years. In its current state, it would unlikely be rented by a family. Our neighborhood has been successful in reducing the number of student rentals from 7 down to 3, and with 920 Carrollton, that number will be down to 2.

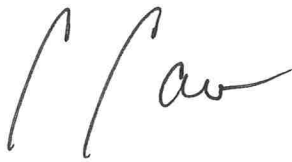
Before I decided to pursue the special exemption, I wanted to ensure that my neighbors were not in opposition. Therefore, I have met with over 13 of my neighbors that live in closest proximity to 920 Carrollton and was happy to find tremendous support. They all felt the current and previous occupants have, at times, been disruptive. *Please see the numerous letters of support I have already received.* Many expressed gratitude to our family for undertaking the restoration of this property and have asked if there would be an opportunity for their friends and family to stay with us during extended visits.

This short-term rental will be managed by me personally, and not by a property management company or an out-of-town manager. Living next door, I will be able to ensure that the rental guests are respectful to our neighbors. I will not allow more than 8 guests at a time and gatherings must be limited to 10 people and adhere to quiet hours. It is a four-bedroom, 2 bath house and the bedrooms are all good sized. The home is currently inhabited by four undergraduate students, and each has a vehicle. At least three are routinely parked on the street in front of the house. The over 75-foot-long driveway can easily hold three cars and guests will be asked to make use of the driveway over street parking.

I will only accept one booking at a time and will not accept direct bookings. This property already has a rental permit through the city of West Lafayette and will undergo an inspection to renew in August. The exemption will be non-transferrable and therefore may not be passed to a new owner should the property be sold.

Carrolton street is our home, and we love our neighbors and, it is clear that, having an esthetically pleasing short-term rental next door will have a positive impact for those living around it. I appreciate the board taking the time to review my application and considering the specifics of my request. I anticipate there will be a great deal of opposition from the community at large, but I kindly ask the board to weigh the support from those living closest to 920 Carrolton over the opposition of those who will not be directly impacted.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Cavanaugh', with a stylized, cursive script.

Catherine Cavanaugh  
920 Carrolton Blvd  
West Lafayette, IN 47906



April 16, 2024

To the Members of the Area Board of Zoning Appeals,

My name is Susan Mendrysa and I live at 911 Garden St in West Lafayette. I am writing to express my support of our neighbor Cathy Cavanaugh who is seeking a special exception to allow a short-term rental at 920 Carrollton Blvd. The back of our property is just west of the rear boundary of this property, and I do not oppose it being a short-term rental, especially given the fact that the owner's full-time residence is next door to the property on the west side.

I am pleased that she intends to make improvements to 920 Carrollton Blvd as she prepares it to be a guest house. For many years, 920 Carrollton Blvd has been a generally poorly maintained long-term rental. Cathy Cavanaugh maintains her own property very well and we expect that she will do the same with 920 Carrollton. Proposed improvements to 920 Carrollton Blvd will therefore be beneficial to the neighborhood.

We expect that Cathy Cavanaugh will monitor property closely while it is being used by paying guests. She has assured us that if there are any problems with guests, we may contact her immediately. Currently occupied primarily by students, 920 Carrollton Blvd is perhaps the loudest long-term rental house in the neighborhood on warm sunny days. The students have been generally fun-loving, respectful, and good natured, however I anticipate that as a short-term rental, things may be quieter — another positive for the neighborhood.

Of the 3–4 short-term rentals I am aware of in the neighborhood, all have undergone substantial improvements to the exterior and are well maintained. There have been no issues with noise or parking, and people have been respectful.

Lastly, I think it is important to recognize that short-term rentals often provide an important housing option that can address the needs of individuals and groups better than non-locally owned, chain hotels. For example:

***Individuals/families with special needs***

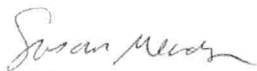
- A person with autism may feel more comfortable in a short-term rental than in a single room in a hotel.
- Special dietary needs may be more adequately met in a short-term rental than hotel room that lacks options for food preparation.

***Families or other groups***

- The cost of travel for youth sports and other family/group activities can add up quickly. Short-term rentals provide a cost-effective option for housing and also help reduce food costs as meals can be prepared rather than purchased at restaurants.
- Short-term rentals also provide an opportunity for people to gather together in a shared experience, which cannot happen as easily if everyone is in different hotel rooms.

Mrs. Cavanaugh came to our home and shared her intentions regarding the property. She wanted to know if we supported her before deciding to apply for the special exemption. We have a lovely neighborhood, and I believe that having this short-term rental will not disrupt what we have.

Sincerely,



Susan Mendrysa  
911 Garden St  
West Lafayette IN 47906

April 8, 2024

To the Members of the Area Board of Zoning Appeals,

My name is Raymond Derucki, and I own 1540 Northwestern Ave, West Lafayette. I am writing to express my support of Cathy Cavanaugh who is seeking a special exception to allow a short-term rental at 920 Carrolton Blvd. My property is across the street and just west of this property, and I am in favor of it being a short-term rental, especially given the fact that her full-time residence is next door to the property on the west side.

Mrs. Cavanaugh maintains her own property very well and I expect that she will do the same with 920 Carrolton. I appreciate the fact that she intends to make improvements as she prepares it to be a guest house.

I am very comfortable with the fact that she will be able to keep an eye on the property while it is being used by paying guests. She has assured me that if there are any problems, I may contact her.

Mrs. Cavanaugh called me to discuss her intentions and asked for my input prior to deciding to apply for the special exemption.

I hope you will consider her request and vote in favor of granting her the special exemption.

Sincerely,

A handwritten signature in black ink, appearing to read "Raymond Derucki". The signature is stylized with a large initial "R" and a long horizontal stroke at the end.

Raymond Derucki  
1540 Northwestern Ave  
West Lafayette, IN 47906

April 10, 2024

To the Members of the Area Board of Zoning Appeals,

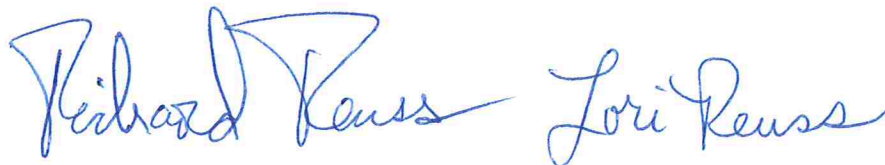
Our names are Richard and Lori Reuss, and we live at 911 Carrolton Blvd in West Lafayette. We are writing to express our support of our neighbor Cathy Cavanaugh who is seeking a special exception to allow a short-term rental at 920 Carrolton Blvd. We live across the street, just east of this property and are in favor of it being a short-term rental, especially given the fact that her full-time residence is next door to the property on the west side.

When we learned that Mrs. Cavanaugh purchased the property, we were very happy as the house has been occupied by undergraduate students for the past several years. *(The students had parties, which included climbing onto the roof! The previous owner hired "Landscapers" that even cut a square notch (4"x4" in a 12" diam. tree trunk.)* We are pleased that she intends to make improvements as she prepares it to be a guest house. She maintains her own property very well and we expect that she will do the same with 920 Carrolton.

We know that she will monitor property closely while it is being used by paying guests. She has assured us that if there are any problems with guests, we may contact her immediately.

Mrs. Cavanaugh came to our home and spent time with us sharing her plans. She wanted to know if we supported her before deciding to apply for the special exemption. We have a lovely street and enjoy our neighbors and neighborhood and we believe that having a short-term rental will not disrupt what we have.

Sincerely,

Handwritten signatures of Richard and Lori Reuss in blue ink. The signature for Richard Reuss is on the left and the signature for Lori Reuss is on the right.

Richard and Lori Reuss

911 Carrolton Blvd, West Lafayette IN 47906

Monday, April 15, 2024

Dear Members of the Area Board of Zoning Appeals,

I am philosophically opposed to Airbnbs. They can be exploitive and can destroy neighborhoods. However, I support Cathy Lavanough's request to make the home next to hers an Airbnb. The Airbnb zoning would give her the flexibility she needs while she remodels the house and improves the property for her inlaws.

Currently, the house in question is a student rental in need of repair. Had Cathy not purchased the home, it would have continued to be a student rental in disrepair.

Please consider my request to change the zoning.

Sincerely,

Andrea Pees Williams  
824 Carralton Blvd  
West Lafayette, IN 47906