

ITEM NO. 10 SPECIAL USE PERMIT FOR SHORT TERM RENTAL; 815 ALABAMA ST (KEW)

SUP-18-00563: Consider a Special Use Permit for a non-owner occupied short-term rental located at 815 Alabama St in RS5 (Single-Dwelling Residential) Zoning District. Submitted by Angela Nascimento on behalf of William Price, property owner of record.

STAFF PRESENTATION

Katherine Weik presented the item.

APPLICANT PRESENTATION

Angela Nascimento said she had made many improvements to the property. She wondered if the fee would be annual.

PUBLIC COMMENT

No public comment.

COMMISSION DISCUSSION

Weik said the annual short-term rental license registration fee was approximately \$67.00. She stated the Special Use Permit application fee was a one-time fee of \$725.00. She said to maintain the Special Use Permit the license registration would need to be renewed annually or it would lapse.

Commissioner Struckhoff said the license period was one year. He wondered how the lapse would occur after 12 months.

Weik said staff was trying to find a threshold where it would be considered abandoned or no longer in compliance. She said it would be assumed that in that period after renewal the rental registration staff would have contacted the property owner. After a certain number of contact attempts it would become apparent it would not be renewed.

McCullough said there was a provision in the Code that defined abandonment of a non-conforming use as a 12 month period. He said an owner could not legally operate without a license. He said the 12 month period of abandonment had more to do with the Special Use Permit and not the license itself.

Commissioner Willey asked what the fee was for the owner occupied short-term rental.

Weik said \$67 annual license fee.

Commissioner Paden asked the applicant if she paid for repairs to the property but wasn't the owner.

Nascimento said yes.

ACTION TAKEN

Motioned by Commissioner Struckhoff, seconded by Commissioner Paden, to approve a Special Use Permit, SUP-18-00563, for a non-owner occupied *Short Term Rental* use located at 815 Alabama Street and forwarding the request to the City Commission with a recommendation of approval, subject to the following conditions:

1. Per Section 20-554(3)(i) of the Land Development Code, all properties containing a *Short-Term Rental* Use shall comply with the occupancy limits of the zoning district in which the property is located. The subject property is zoned RS5 (Single-Dwelling Residential) District. The zoning district in this area is single-family residential; therefore, a maximum of 3 unrelated occupants are permitted per dwelling unit.

2. Per Section 20-601 of the Land Development Code, the maximum number of available guest rooms associated with the non-owner occupied *Short-Term Rental* use may not exceed the number of off-street vehicle parking spaces available on the property. The off-street parking available for the subject property is four spaces; therefore, the maximum number of guest rooms that may be rented on a short-term basis is limited to four.
3. Per Section 20-554(3)(iii), the dwelling unit and site shall remain residential in appearance and characteristics. Internal or external changes that will make the dwelling unit and site appear less residential in character or function are prohibited. Examples of such prohibited alterations include, but are not limited to: construction of parking lots, paving of required setbacks, or the addition of commercial-like exterior lighting.
4. Per Section 6-13A04(a) of the City Code, a short-term rental license is required to be obtained annually from the Planning and Development Services Department. If the short-term rental license lapses for a period more than 12 consecutive months, the special use permit will be assumed to be abandoned. Reinstatement of the use will require review and approval of a new special use application.

Unanimously approved 9-0.