

A meeting of the Zoning Board of Appeals was held on **September 28, 2015** at 5:30 p.m. in the City Hall council chambers, 1911 Boundary Street. In attendance were Chairman Brad Hill, board members Don Starkey, Eric Powell, Tim Wood and Joe Noll, and Libby Anderson, planning director.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

CALL TO ORDER

Chairman Hill called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance. He read the notice of compliance with the Freedom of Information Act requirements.

Mr. Starkey noted that the minutes mistakenly stated that the meetings were held in the planning department's conference room. **Mr. Starkey made a motion, second by Mr. Noll, to approve the minutes of the July 27 and August 4, 2015 meetings as amended. The motion passed unanimously.**

REVIEW OF PROJECTS

2203 North Street, Identified as District R120, Map 3, Parcel 277 – Special Exception

Applicant: Beaufort Rentals for Joseph & Kristin Haggerty (ZB15-20)

The applicant is requesting a special exception in order to operate a short-term rental.

Ms. Anderson said this is in the Dixon Village neighborhood of the city. It's a block from Ribaut Road. A single-family dwelling is located on the lot, and there's adjacent parking. The property owner lives out of state and has hired Beaufort Rentals to manage the property. There is a minimum three-night stay, and occupants are limited to four. Only two vehicles are allowed, which Ms. Anderson said is appropriate for the size of the dwelling.

Ms. Anderson said public notice was made, including letters that were sent to the neighbors within 400' of the property. One email was received, and the board had been given copies.

Ms. Anderson presented staff's opinions on the criteria that the board must use to determine if this application receives a special exception:

- 1. Proposed use is compatible with existing uses in the surrounding area:** The property is in the Dixon Village neighborhood and is within walking or biking distance of the downtown core. It is one block off of Bay Street (a collector street) and Ribaut Road (a major arterial).
- 2. Proposed changes are harmonious with the character of area:** No changes are proposed to the site as a short-term rental.
- 3. Impact on public infrastructure:** Ms. Anderson said staff feels the proposed use will

have no greater impact on infrastructure than a long-term rental would.

4. Proposed use is compatible with Comprehensive Plan and the Civic Master Plan:

Ms. Anderson said yes, it's in general conformity.

5. Impact on public health and safety: Staff feels there will be little impact because a professional management company will manage it.

6. Potential creation of nuisances: Staff feels there is little nuisance potential because there will be a monitored fire alarm and management by a professional company.

Staff recommends approval with the installation of a monitored fire alarm.

Joe Haggerty and his wife live in Atlanta, he said, and they plan to retire in Beaufort. They think this property will provide a transition for them, they and their friends can stay in this home when they're in Beaufort, he said.

Mr. Wood said he is glad for the conditional requirement for some short-term rentals. Neighbors have concerns about potential noise and disruption, though there's been no evidence that this happens. It's the direction that the City of Beaufort wants to take – the upkeep of short-term rentals, it is agreed, is better than of long-term rentals. Mr. Wood has a concern about saturation, "but that's really (the rental owners') problem...It doesn't have an impact on the city, per se." Renters will have more short-term rental choices, so the owners may be "short-changed," but that won't affect the city. Mr. Wood feels that the precedent is that if there are no obvious reasons to decline an application, they accept it with a 6-month trial period. If there are three or more complaints, the business license is revoked.

Mr. Noll said the trial period provision is usually added into the approval when there is opposition to it, which this application doesn't have. Mr. Starkey said there was an email about the application, and its writer was concerned that "this could become a party house," which would be a reason for having the trial period. Mr. Powell said the probationary period should be implemented in this case, which may ease that neighbor's mind.

There was general discussion about whether a professional management company was a requirement, followed by concurrence that as long as the owner was local, they could manage their own property.

Mr. Starkey made a motion to approve the application for a special exception for a short-term rental with a one-year probation period; if the police receive more than three complaints, the owners' business license is canceled. Also, a monitored fire alarm is required. Mr. Noll seconded the motion. The motion passed unanimously.

909 Emmons Street, Identified as District R120, Map 2, Parcel 216

Variance from limit of number of garages

Applicant: Samuel and Lily Cooper (ZB15-21)

The applicant is requesting a variance to allow an open “car/boat port” to be built in the northeast corner of their lot.

Ms. Anderson said the property is R-2, so the minimum lot area is 9000 square feet, and this lot is a little over 13,000 square foot. The dwelling is 1460 square feet, according to the tax assessor. A 484 square foot, one-story, two-car detached garage is on the west side of the dwelling. The garage doors face the street, Ms. Anderson said. The ordinance limits the number of garages on a property to one. The applicants are asking for a variance to build a car port – which they are calling a “boat port” – in the rear corner of the property. It will be 720 square feet. The board was provided an elevation.

Ms. Anderson said the existing garage would be converted to an accessory dwelling unit, according to the applicants. There is a large tree that would keep the garage from being used as a garage again, but the Coopers have said it will be an accessory dwelling.

The existing garage does not have the preferred design for a detached garage; it shouldn’t face the street and should be set back from the primary dwelling, Ms. Anderson said. Also, the proposed carport is very large, very close to the limit of 50% of the footprint of the dwelling. Staff would like the applicant to address height, which is limited to no more than the height of the existing structure. Also, a satellite dish is located in the front yard, which is not permitted unless there is nowhere else on the property that the dish would be operational.

Ms. Anderson said all of the usual public notification was made; a one public comment was received and passed to the board.

Ms. Anderson enumerated the findings the board needs to make to approve this application for a variance:

1. **Extraordinary and exceptional conditions:** Staff feels there may be, in that this is a double lot, so it’s basically twice the size of other lots; there is a garage that has not been used in many years, and the owners want to convert it.
2. **Conditions as applied to other properties in the vicinity:** The conditions do not apply to other properties.
3. **Conditions are not the result of the applicant’s own actions:** These are new owners of this property.
4. **Granting the variance would not conflict with Comprehensive Plan:** Staff believes this would not conflict with any of the city’s plans, and the Civic Master Plan encourages reinvestment in existing neighborhoods.
5. **Application of the ordinance is an unreasonable restriction on utilization of the property:** The existing garage would be converted to an accessory dwelling unit, and if it that were done, this variance would not be necessary. “It’s a matter of timing,” Ms. Anderson said. The board must determine if it is unreasonable to

prohibit the applicants from building the boat port before they build the accessory dwelling unit.

6. **Granting the variance is not a detriment to adjacent property and the public good:** As the application has been made, Ms. Anderson said, there might be issues because it would permit a large accessory structure to be built on a property that already has the large detached garage with doors that face the wrong direction and therefore presents design issues. If the garage were converted to an accessory dwelling unit, it could “greatly enhance the appearance of that structure.” This is a conditional use, so staff would need to do a limited design review, in which they could ensure the façade is one that is desirable.

The applicant has committed to getting a permit to build the accessory dwelling unit three months after the carport is built, Ms. Anderson said. The Coopers want a little more time to come up with the plans for it. The renovations of the garage into the accessory dwelling unit would be within one year, which they have also committed to.

Ms. Anderson said staff recommends approval with the following conditions:

- A permit for the conversion of the garage into an accessory dwelling unit must be submitted within three months of the completion of the carport project.
- The renovation of the garage must start within 12 months of the completion of the carport.
- The satellite dish must be removed from the front yard.

Mr. Starkey asked if the design plans for the carport had been reviewed. Ms. Anderson said it’s in Pigeon Point, so the review is only for zoning – e.g., in terms of setbacks, which it meets. It must meet a building code review, but the code official has not yet reviewed it. Ms. Anderson said if the board members had comments and conditions they wanted to put on the granting of the variance, this would be the time to do it.

Mr. Starkey said when an open carport of that size is built, he recommends that they have some walls at least partially because “all the junk will be out there.” Ms. Anderson said enforcement of conditions is always an issue, but they could make a condition that the carport is only used to store the boat, for example.

Mr. Starkey asked what happens if they don’t turn the garage into an accessory dwelling unit within the agreed-to time period. Ms. Anderson said they would have to use whatever enforcement methods they had – the code enforcement official and the city attorney, for example – but the Coopers are operating in good faith at this point.

Mr. Noll said if the Coopers follow their publically stated plan, it would be an improvement to the property. They will have to get a permit approved for the accessory dwelling unit. Ms. Anderson said yes, and they will have to do a design review, which isn’t done on other properties in that neighborhood. Mr. Noll said it would increase the

value of the property to have a guest cottage there. He said he would add the height requirement to the approval as a condition. A semi-protected carport usually “does the trick down there,” Mr. Noll said.

Lily Cooper said, “It’s not very attractive,” but they have plans to make it attractive. They won’t put “a bunch of junk out in an open carport.” The boat – which her husband has spent two years building – recently got a cover on it, and “it’s got to have a home,” she said. Ms. Cooper said the design is attractive.

Charles Heyman said he would build it. As to height, the carport is slightly over 16’, and he can lower the pitch, which he had drawn to match the house. The gables will keep the change in pitch from looking bad, Mr. Heyman said. The percentage difference will be minimized, he said. Mr. Heyman said that **Sam Cooper** is very committed to what they have indicated they will do. Also, putting the boat between the house and the existing garage would not work. Mr. Heyman said he has not done a construction plan yet, but he has spoken to an engineer.

Mr. Starkey asked Mr. Heyman if the roof and the materials would be the same. Mr. Heyman said that they just had a new roof put on the house, and the accessory dwelling unit’s roof will match it.

Mr. Powell said sometimes circumstances change, and if the applicant were to sell the property, for example, how could they enforce the conversion of the garage into a cottage? The board needs to take measures to ensure that what they approve comes to fruition. Chairman Hill said the board could include in its motion that the carport will be removed; he feels “would be awful” if the Coopers do not abide by the agreement, and then they would have two garages.

Ms. Cooper said there would not be two garages. Mr. Starkey said that they are just trying to protect the neighbors and the city per the ordinance. Mr. Noll said most of the lots in the area are single. As far as appearance, the house next door to theirs is falling down (its owners have received notice that they need to do something to it) so this will be an improvement. Mr. Wood agreed that the lot is “plenty big enough to handle it,” and “the sensible thing to do” is to convert the old garage into living quarters “instead of an ugly . . . garage.”

Mr. Powell made a motion to approve the variance with the height restrictions noted, staff comments about the conversion of the garage into an accessory dwelling unit, and the removal of the satellite unit. Mr. Noll asked if the proposal included limiting the size of the accessory dwelling unit. Mr. Powell said it has to be the same height as or lower than the house, and Mr. Heyman said he agreed to do that. **Mr. Starkey seconded the motion. The motion passed unanimously.**

1303 North Street, Identified as District R120, Map 4, Parcel 675, Special Exception

Applicant: Nigel Stroud (ZB15-22)

The applicant is requesting a special exception in order to operate a short-term rental.

Mr. Wood asked to be recused because he has a conflict (see attached recusal form). He has friends and acquaintances who have spoken out about this matter, and he doesn't feel he could be unbiased. Ms. Anderson asked Chairman Hill if that seemed reasonable, and Chairman Hill agreed that Mr. Wood could be recused. Ms. Anderson said he would have to fill out a form.

Ms. Anderson said this is just off the corner of Harrington and North Street in the Bluff neighborhood of the city. It is zoned General Residential; a single-family dwelling is on the property, and a single-width driveway serves both units. The zoning supports all types of residential uses. She showed the zoning that surrounds the property, which adjoins office commercial zoning.

Ms. Anderson said the property owner desires to rent the property – both the primary and the accessory dwelling unit – on a short-term basis. The property owner lives in the West End neighborhood, on the west side of Ribaut Road and will be managing the short-term rental. The minimum stay is three nights, which exceeds the city's ordinance. The rental agreement for the primary unit is limited to four people, and to two people in the accessory dwelling. The rental agreements have been revised to state that only two vehicles total are allowed, and this is on a first-come, first-served basis, as of today, for both units. Ms. Anderson said the rental agreement says the vehicles must park on the driveway, not the street. The driveway will be expanded slightly to allow the two cars to park and maneuver more easily. This property is in the Historic District, and doing this will allow that parking arrangement to be approved.

Ms. Anderson said, based on North Street's width and the landscaping, walls, etc., there's no safe location for parking on the shoulder of the road, though that is permitted. On this block though, it would not be safe or appropriate, she said, so guests in the short-term rentals must park in the driveway.

The standard public notice was made. Staff has received several public comments, and copies were given to the board, including one that came at 4:00 p.m. that day from Saint Helena Church.

Ms. Anderson presented staff's opinions on the criteria that the board must use, per the city's ordinance, to determine if this application receives a special exception:

1. **Proposed use is compatible with existing uses in the surrounding area:** Ms. Anderson said this property is located in The Bluff neighborhood and is located within walking or biking distance of the downtown core and Waterfront Park and is a block from a collector street. There is an apartment building on the corner of

- Wilmington and North Street, as well as two churches further east on North Street. In the area of King and Harrington Streets, there are office-type uses.
2. **Proposed changes are harmonious with the character of area:** No changes are proposed to the buildings. The applicant has proposed a slight modification to improve on-site parking as described.
 3. **Impact on public infrastructure:** Ms. Anderson said staff feels the proposed use will have no greater impact on the infrastructure than a long-term rental would, and parking can be better regulated with a short-term rental than with a long-term rental, which has no special restrictions.
 4. **Compatible with Comprehensive Plan and the Civic Master Plan:** The short-term rental is in general conformity with the city's Comprehensive Plan, and council has approved the short-term rental ordinance in 2011.
 5. **Impact on public health and safety:** There will be little impact, staff feels, since a local resident will manage the units, and monitored fire alarms will be installed.
 6. **Potential creation of nuisances:** Ms. Anderson said staff feels the proposed use has little potential to create these types of nuisances, if there is local management and monitored fire alarms.

Ms. Anderson said staff recommends approval with the installation of monitored fire alarms in both units and an acceptable parking plan. Staff recommends a 12-month probationary period, after which the board will revisit the matter at a public meeting. There would be no fee; public input would be required.

Mr. Powell asked if these were two separate rental requests on one property, and if there were two families, how the parking would work. Ms. Anderson said if the primary unit is rented and has two vehicles, the accessory dwelling unit renter could not bring a vehicle. The same party could rent both units, but there can only be two vehicles on the property at any one time.

The applicant, **Nigel Stroud**, described his background and said he and his wife are "pretty involved in the city," including working with Historic Beaufort Foundation and the Open Land Trust, and they are "very vested in the community."

Mr. Stroud is an architect. He has other rental properties, he said, and has learned his lessons that way. He can "pick out the good (guests) from the bad." His first reaction to the house was that it was nice, and he doesn't "mind its little lean." He thought it would be a great short-term rental. They have had many friends come to visit. He and his wife, **Elizabeth Stroud**, "have experience and a history here and want to continue . . . with this house."

Mr. Stroud didn't own the house when they initially applied for it to be a short-term rental. When they saw the parking issues, they amended the rental agreement. They don't want people to be able to park anywhere they want to. He said they are concerned about the aesthetics and the neighborhood. Mr. Stroud said some neighbors

are concerned because of bad history with previous tenants, who were “gypsies” that the previous owner “could not get out of there” because it was a long-term rental, not a short-term rental. They will willingly accept the 12-month contingency period if they are allowed to do the short-term rental. Mr. Stroud has given neighbors his business card and has promised he will take care of any problems immediately.

Mr. Stroud said that the short-term rentals in Beaufort are “happening quite a bit.” They are trying “to increase infill and give a better tax base to the city.” If it rents 50% of the time it’s available, they will be almost doubling the revenue the city gets from this property. He doesn’t want “a bunch of cars there,” or “a bunch of people coming and going.” The people who will be interested in this house, which be well-decorated, and those they want to rent it to, will be “people who will pay a hotel rate to stay in a nice place.”

Ms. Stroud said the gypsies Mr. Stroud had referred to were not renters: they were maintenance people who had been left there to take care of the house, but they didn't. Ms. Stroud said they will “vet anybody who is going to rent this house,” because, among other reasons, they will have antiques there. It will be “families like you and I” who will rent it, she said. Their goal is “to open up the beauty of Beaufort” to people who might then find land or homes here and move to Beaufort. They are looking for those kinds of renters – not “drug addicts and motorcycle gangs.”

Pete Palmer, 1401 North Street, said he and his wife had moved to the Bluff many years ago, when it was primarily owner-occupied; there were a few long-term rentals but no short-term rentals. The Bluff neighborhood is small, he said. He said he had chaired the Northwest Quadrant committee, has been a regular at the city’s neighborhood committee meetings as the Bluff’s representative, chaired the Historic Beaufort Foundation for two years, and ran for city council. He was on the recent parking task force. The Bluff is one of the smallest neighborhoods in Beaufort, Mr. Palmer said, and the homes are primarily owner-occupied. City council and the mayor had assured them at the time that short-term rentals were approved that permission for people to have short-term rentals “would not be shoved down the neighborhood’s throat.” Since then, two short-term rentals have been approved in the area around his property.

Mr. Palmer said, for him, the maintenance of a short-term rental is an issue, and he’s sure the Strouds will maintain it. However, the tranquility and security in the neighborhood are another concern. Many of the homes in the area “have single women in them.” They have a neighborhood watch and are sensitive to one another “without being intrusive.” Mr. Palmer called this “a very fragile neighborhood.”

Mr. Palmer said he would not have trouble with this short-term rental except for its setting a precedent. He asked what the neighborhood would have to do to show the board that “we really don’t want it.” He asked if a petition signed by 80% of the Bluff residents would work. Chairman Hill replied, “I think you’re doing it.”

Chuck Dalvini has lived on North Street for 24 years. He feels long-term rentals “are not bad.” He knows that “a lot of people have rented the cottage” on a long-term basis. Tourists want to see the architecture of the neighborhoods and the Spanish moss, Mr. Dalvini said. The residents are proud of their neighborhood from an aesthetic standpoint. He feels the Strouds would vet their guests, but having a short-term rental would “change the neighborhood’s character.” Residents of the Bluff bring each other things, Mr. Dalvini said, and talk to one another on their porches, help each other out when they’re not home, and while walking their dogs, stop to talk about their families: This is what a neighborhood is about, he feels.

There are other options for people to stay in than short-term rentals, Mr. Dalvini said – there’s a B&B in their neighborhood – but the fabric of the neighborhood is so important, and the residents “don’t want to tear at (its) fabric.” He said he disagrees that there’s no impact on the safety of the neighborhood when there’s a short-term rental. Police say that the residents’ eyes and ears are the first line of defense for the neighborhood, Mr. Dalvini said, but he believes short-term renters “don’t care what happens” there. Every time the board approves a short-term rental, he reiterated, “You’re tearing the fabric of the neighborhood.” If the neighbors don’t want it, the board should respect the neighborhood’s wishes, Mr. Dalvini concluded.

Jerry Kinney lives next door to the Strouds’ property. He said, “We are opposed to this.” He said he wished that the Strouds had asked the neighborhood about this short-term rental before they bought the property, and he also wishes the approval process was different than it is, though he did not specify in what way. “This is going down a very slippery slope,” he feels. Mr. Kinney said the screened porch on the Strouds’ property is at the back of the house and is “less than 12’” from Mr. Kinney’s porch; he hears “any noise on that porch in (his) kitchen.” He feels “people want to party if they are spending the money to stay in a short-term rental,” and “the obvious place to party will be that screened porch.” The monitored fire alarm will be “wonderful,” Mr. Kinney said, but because there will be “an endless stream of people” who won’t know how the alarm works, it will go off frequently, which he thinks would disturb the neighbors.

Guests also won’t know how to maneuver in the driveway, Mr. Kinney believes, “and they won’t care about anyone else,” which “is a potential danger.” There also may be conflict over the two parking spots, which has “the potential for disaster,” he said. “There is nothing about this that’s right,” Mr. Kinney stated, and he wants the board “to stand up for our neighborhood.”

Westley Byrne, 1307 North Street, noted that there are “6 sites in this one small block.” The neighbors “live cheek by jowl.” About the earlier short-term rental application, it was said “it doesn’t change anything for the city,” but she feels it does. The more short-term rentals are approved, the more only “eat, sleep, (and) play” will happen in Beaufort, Ms. Byrne feels, especially in “this most appealing part of Beaufort,” because the homeowners won’t want to own homes anymore.

The “turnovers potentially every three days” will have “an enormous impact,” Ms. Byrne said. The neighbors hear each other now, but that’s “fine because we know each other.” She echoed the idea that vacationers “are not vested.” Ms. Byrne strongly urged the board to consider denying the proposed short-term rental.

Mary Helen Niemeyer, 408 Harrington Street, said she would list her credentials as Mr. Stroud and Mr. Palmer had: she’s a retired family physician who had practiced on St. Helena, ran a health department, and volunteers at Hope Haven. She’s lived in the Bluff neighborhood for 30 years, and she agrees “with everything that everybody else said here.” She was a friend to the previous owner of this residence, Dr. Niemeyer said, so she had been in it often. It’s a small area in which to expand the parking, she said. There was a truck there today that was waiting on another truck to pull out, and it blocked the traffic on North Street, Dr. Niemeyer said. There have been three accidents at Harrington and North Streets, which is a busy intersection. On Sundays, there’s sometimes only one lane because of people parking on the street for church.

“We would like to have (the Strouds) in our neighborhood,” but not a short-term rental. Dr. Niemeyer said she would also speak for Dr. **William Gibbons**, who had submitted a letter. His bedroom is “just a few feet from the driveway” at the Strouds, and noise in the driveway has been a problem in the past.

Ms. Stroud said this is “an opportunity to embrace new potential residents of Beaufort.” If she and her husband aren’t allowed to have this property be a short-term rental, they will make it a long-term rental, and then they will have no control over what the home’s occupants do. Chairman Hill told Ms. Stroud, “You have had your opportunity to present.”

Mr. Noll said what the neighbors want is an owner-occupied house, but many houses that were once owner-occupied are now long- and short-term rentals. If it’s a long-term rental, there are no restrictions or limits as to what tenants can and can’t do. He said he doesn’t see this as a potential party house, and he thinks it would be better for the neighbors “than a long-term rental.”

Mr. Powell said a comment had been made that one-size doesn't necessarily fit all with regard to short-term rentals. This short-term rental is different than others because they are discussing allowing two rental units on one property. The Strouds have good intentions, Mr. Powell said, and would maintain the property, but this is the most objections he has heard about any project in the six years he has served on the board.

Mr. Starkey said, “I know both sides on this issue.” He will vote for “what I think the majority of the people want . . . I have to listen to the people.” He wishes the Strouds had come to the board before they did the renovations to turn the residence into a short-term rental. He commends them, he said, but “there’s so much disagreement” among the neighbors with having this be a short-term rental. Mr. Starkey said, when the

short-term rental ordinance was passed, he could see this happening. This is the first time a majority of a neighborhood has objected to a short-term rental. Usually it's the next-door neighbors. They have had no issues with any of the short-term rentals that have been approved, but at this point, because so many people are against it, "I have to take the people's vote."

Chairman Hill said his stance is that if anyone objects to a short-term rental, he votes against it. He agrees with Mr. Dalvini about the fabric of the neighborhood. **Mr. Starkey made a motion to deny the special exception for a short-term rental. Mr. Powell seconded the motion. The motion passed 3-1, Mr. Noll opposed.**

Chairman Hill thanked the Strouds "for choosing Beaufort," adding that he was "sorry it didn't work out." Ms. Stroud asked that it be included in the record that this was the first short-term rental application to be denied.

OTHER BUSINESS

Ms. Anderson said there would be a Zoning Board of Appeals meeting in October.

Mr. Starkey asked if they had done anything about getting more people on the Zoning Board of Appeals, because "we're all expired." She said yes: some people need to be reappointed. There has been a lot of community interest in all of the board positions. She will look at anyone who has applied to a board to see if they would like to be on the Zoning Board of Appeals.

Mr. Powell said a past applicant had approached him; (s) he was impressed with Ms. Anderson, the ZBOA process, and the board, and is interested in serving. He told Ms. Anderson that he would pass on the name.

Mr. Wood asked Ms. Anderson if she thought they were at the point of having too many short-term rentals. Maybe they should "explore some of the neighborhoods," to consider that, and could restrict their numbers in some locations. "Neighborhoods are pretty well defined," and while there "is probably still room in Pigeon Point, (the Bluff) is a special neighborhood." He asked, "When do you say stop?" Ms. Anderson said the neighbors' feelings are a legitimate reason to deny the short-term rental special exception; they "are one of the criteria" that must be met for approval. "Perception can be reality" as far as the "negative impact" of a short-term rental. If the neighborhood doesn't care, and everything else seems reasonable, the board can approve it.

Chairman Hill said at the neighborhood association meetings, they could bring up short-term rentals "and tackle it neighborhood by neighborhood." Ms. Anderson said The Point said it didn't want short-term rentals, so none are allowed there. "If you think the Bluff is the same way," she could contact Mr. Palmer, whom she considers the neighborhood's "unofficial leader," and she could suggest he go to council and say that they want The Bluff to be "off-limits" to short-term rentals.

Mr. Starkey said they need to inform real estate people, for example, that if someone is buying a home to make it a short-term rental, it won't be approved if the neighbors object. When the ordinance was approved, "that was one of the things they talked about," he said. One neighbor objecting is different than "a large majority of neighbors," and the board has to support the community.

Mr. Powell said the short-term rental applicant on Meridian (at the August Zoning Board of Appeals meeting) had come to the board to see if he'd be approved for a short-term rental *before* he built a cottage. Ms. Anderson said that she had told the Strouds that only one short-term rental had been disapproved to date, but those people had come back before the board, and it was approved that time.

Mr. Wood said that Mr. Powell had made a good point about the fact that it would have been "a double rental property," with the main residence *and* an accessory dwelling unit. "Parking would be horrendous," Mr. Wood said. There was really no reason to deny this application based on what they have been doing with other short-term rentals, he said – just than the neighbors' objections. If there's "a certain percentage of the neighborhood against it," Mr. Wood feels, "that trumps everything." He said he had been similarly torn about the last short-term rental to come before the board at the August meeting.

Ms. Anderson said Mr. Palmer had called about the rental next to his residence. Mr. Noll said that both of these properties would now be long-term rentals. Mr. Starkey said if adjacent property owners say that they will be bothered by this, "that should be enough . . . A concerted effort by a community or their property owners' association" should be considered to have greater weight "than not having a proper (rental) contract."

Mr. Noll said a short-term rental would be "no more commercial" than a long-term rental. Mr. Wood said those who objected don't want "the face of the neighborhood to change whatsoever." If a neighborhood bands together, he feels they have to deny the application, and the mayor and city council need to know.

Ms. Anderson said this was a unique situation; having two units was "definitely an issue," and the parking "was my major issue." The Strouds had come up with a solution that might have worked. She knows there's a lot of traffic on North Street, and the churches add a lot of traffic on the weekends. To exit, they have to back out if they pull in, which is a problem on a busy street. Ms. Anderson said the Strouds might come back with a different application to rent just one unit. Chairman Hill said he has no problem with having two units, if both are rented to one set of tenants.

There being no further business to come before the board, the meeting was adjourned at 7:11 p.m.