

RS 2021-013

Case 032-21: 3001 Sunset Dr. – A request for a Special Use Permit (1<sup>st</sup> Request) for the operation of a short-term rental – Lauren Peterson

Lauren Peterson, 3001 Sunset Drive, Joplin, MO., and the homeowner. The past three (3) years she has been running an Air B&B in the basement of her home. The home is three stories, and the basement is fully finished. The basement has a kitchenette, 2 bedrooms and some free space. The family was not getting much use out of the basement. In July 2018 started renting out the basement through Air B&B. Ms. Peterson lives at the residence with four (4) children and is a single mother. The Air B&B requires certain credentials, which I have listed on my application and, I can request additional information for the applicants that apply. She is not aware of any issues with one exception. About a year and half ago, the neighbor that lives to the southwest had asked if her clients could not park on the east side of the street. She was concerned because where they were parking was outside of her daughter's bedroom window and asked that no one park there. Ms. Peterson stated that to her knowledge no one has parked there since. That is the only complaint I have ever heard about. She has heard that people say in the neighborhood that the neighborhood is owner based. There is a house down the street that is a rental, she told me that herself. She has heard about too many cars, typically there is only one extra car at my house.

Mr. Eastman asked if any of the Commissioners had questions for Ms. Peterson.

Mr. Kimble wanted to know if the space that was being rented is only rented to one person or one family at a time?

Ms. Peterson stated that is either one person at a time or one group of people at a time and does not rent out the rooms separately. The people that stay in the Air B&B, for example, the people that is staying there now is a physician starting a new job that works for Freeman Hospital, just moving here and his house is not ready to move in. So, it is him, his wife and his two-year-old is staying in the basement until his home is ready. The people that stay are people in town visiting family, they are here working, or passing through on I-44. Traveling nurses, people from the medical school also stay there.

Mr. Eastman asked if there were any other questions?

Ms. Phillips had a question for Keegan Stanton. Is there a requirement that there be a separate entrance?

Mr. Stanton stated that there was not. This would be an accessory use to a single-family home.

Ms. Phillips asked Ms. Peterson if they had their own entrance and Ms. Peterson stated they did.

Mr. Eastman asked if there was anyone in the audience to speak in favor of this case?

Gary Ivy, 3101 Sunset Drive, Joplin, MO. He lives directly to the West of Ms. Peterson. He has not had any issues with the Air B&B guests. If there are complaints of parking in the street, the

folks that are complaining are actually parking in the street themselves. We are the only neighbors that Ms. Peterson has, and for the record she has great neighbors.

Mr. Eastman asked if there was anyone else to speak in favor. There was not. He also asked if there was anyone to speak in opposition of this case?

Chuck Brown, 3018 Sunset Drive West, Joplin, MO. He is the President and representing the Sunset Ridge Homeowners Association. The Board has taken a vote and wish to express opposition to the request. We do this primarily to the location and the traffic. The house in question is right at the entrance. The Homeowners Association has received several inquiries in the property being used as an Air B&B.

Mr. Eastman asked if any Commissioners had any questions for Mr. Brown?

Mr. Kimble wanted to know if there is anything in the Homeowners Association contract that states Air B&B are against policy?

Mr. Brown stated not specifically. The Association Rules and Regulations prohibit the use of properties for commercial purposes. The problem is you have several cars coming and going and it is a short-term rental not a year or two.

Ms. Phillips has a question for Mr. Stanton. If she remembered correctly, the City of Joplin does not recognize Homeowner Association agreements.

Mr. Stanton stated the City does not have jurisdiction to enforce subdivision rules and regulations, just City Code.

Mr. Eastman asked if anyone else would like to speak in opposition of this case?

Bryan Goodace, 3401 Sunset Drive, Joplin, MO, also on the Homeowners Association Board. There are concerns of short-term stay and in our covenants not specifically but verbiage of the commercial uses of residence.

Dr. Matt Spencer, 3003 Schifferdecker, Joplin, MO, which is across the street from Ms. Peterson. He would like to interject into the conversation is that Sunset Ridge was designed as a single-family home development. It seems like the homeowner is now absent from that home. They are no longer the resident of that home and renting it in a commercial status.

Ms. Peterson stated that she lives in her home all the time with her four children.

**MR. KIMBLE MOVED, SECONDED BY MR. MCCULLOUGH THAT CASE 032-21 BE FORWARDED TO THE CITY COUNCIL WITH THE RECOMMENDATION FOR APPROVAL. MOTION CARRIED, WITH MR. EASTMAN, MS. STEELE, MR. KIMBLE, MR. MCCULLOUGH, MS. PHILLIPS, AND MS. WARREN VOTING "AYE", (6 IN FAVOR, 1 ABSENT)**