



[FOR OFFICE USE ONLY]

# Permit Application: Transient Guest Lodging

Planning & Zoning Department  
100 Dayton St, 2<sup>nd</sup> Floor  
Yellow Springs, OH 45387  
(937) 767-1702

Permit #: \_\_\_\_\_

Application Received: \_\_\_\_\_

## Applicant Information

Property Address:					
Property Owner:		Phone:		Email:	
Mailing Address:					
Applicant Name:		Phone:		Email:	
Applicant Address:					

## Project Information

Name of Establishment:			Phone:		
Establishment Type:	<input type="checkbox"/> Hotel <input type="checkbox"/> Motel <input type="checkbox"/> Bed and Breakfast <input type="checkbox"/> Home <input type="checkbox"/> Apartment <input type="checkbox"/> Other				
If 'Other', describe here:					
Total Number of Rooms:					
Establishment Address:					
Establishment Operator:			Phone:		
Operator Address:					
Emergency 24 Contact:			Phone:		

Send all Lodging Tax Docs to: ☐ Owner ☐ Operator

Certificate of Compliance from Miami Twp. Fire & Rescue Attached (Required) ☐

I understand that approval of this application does not constitute approval for any administrative review, conditional use permit, variance, or exception from any other Village regulations, which are not specifically the subject of this application. I understand that I remain responsible for satisfying requirements of any private restrictions of covenants appurtenant to the property.

I, the undersigned do hereby certify that I am the applicant, and the information and statements given on this application, drawings, and specifications are to the best of my/our knowledge, true and correct. I understand that the Village is not responsible for inaccuracies in information presented, and that inaccuracies may result in the revocation of this Zoning permit as determined by the Village. I further certify that I am the Owner, or the lessee, or agent, fully authorized by the owner to make this submission. I certify that statements made to me about the time required to process this application are general estimations and not binding. Further, I understand that it may be necessary for the Village to request additional information and clarification after I have submitted this application and accompanying documentation.

I hereby certify, under penalty of perjury, that all the information provided on this application is true and correct.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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Zoning Fee: \$ _____	Payment Type: <input type="checkbox"/> Check   <input type="checkbox"/> Cash   <input type="checkbox"/> Card	Approved <input type="checkbox"/>   Denied <input type="checkbox"/>
Registration Fee: \$ _____	Zoning District:	SEE ATTACHED LETTER FOR CONDITIONS
Other Fees: \$ _____	PC/BZA Hearing Date:	PC/BZA Case #:
Total \$	Zoning Official Name and Title	Date

## **TRANSIENT GUEST LODGING - SPECIFIC REQUIREMENTS**

### **(7) Transient guest lodging.**

A. Permit. Upon approval of the conditional use, the owner or operator shall submit to the Zoning Administrator, a transient guest lodging application with the applicable fee. This application includes the contact information for the owner or operator and if applicable, the property manager who can be contacted and will respond within a reasonable time period to any complaints, violations, emergencies or other concerns related to the transient guest lodging property or tenants. Upon the Zoning Administrator's review of the permit, the Zoning Administrator shall provide a copy to the Finance Director and the owner or operator shall thereafter comply with all provisions of Chapter 882 of the Village Codified Ordinances with respect to lodging excise tax and registration. For non-operator occupied permits, the Zoning Administrator shall also send a copy to the Greene County Auditor.

B. Location. The Planning Commission shall consider the proposed location relative to its proximity to other such uses in the vicinity in order to avoid an undue concentration that could have a negative effect on the surrounding neighborhood including affordable housing concerns. In no case, can a transient guest lodging be located closer than 500 feet from another transient guest lodging, as measured from closest property line to closest property line. A transient guest lodging unit may be located in a dwelling unit, a room or rooms in a dwelling unit, or an accessory dwelling unit, but no more than one transient guest lodging permit shall be granted per property or per owner.

C. Maximum occupancy. The maximum number of tenants permitted shall be determined by applicable health, safety and welfare requirements. If the transient guest lodging is located in an accessory dwelling unit (ADU) no more than two adults shall occupy the accessory dwelling unit.

D. Utilities. The transient guest lodging unit shall share all public utilities (water/sewer/electric) with the principal dwelling unit. Transient guest lodging units will not be separately metered.

E. Parking. A minimum of one off-street parking space per two adult guests shall be provided on the lot for the transient guest lodging unit in addition to the off-street parking spaces required for the principal dwelling unit.

F. Ingress/egress. No new access points or driveways shall be created or installed for access to the transient guest lodging unit.

G. Transient guest lodging permits are non-transferable. A change in the ownership of the property or if the permit was submitted under a tenant's name and the tenant no longer resides at that address, will void the permit.

H. If the applicant is not the property owner, a letter from the property owner agreeing to the use of their dwelling for transient guest lodging is required.

I. An inspection by the Miami Township Fire and Rescue for the installation of smoke and carbon monoxide detectors must accompany the application for transient guest lodging. The detectors will be inspected by MTRF annually.

J. The applicant must obtain a letter of good standing from the Finance Department with respect to income tax and utility payments to submit with the conditional use permit application and maintain good standing thereafter.

K. If the annual registration under [Chapter 882](#) of the Code is revoked, the Village may also revoke the conditional use permit under Section [1262.06](#) of this Code; if so, the Planning Commission shall deny any other conditional use applications pertaining to the same owner, operator or property for a three-year period from the date of such revocation.

L. Lodging establishments include hotels, motels, bed & breakfast/inns and boarding houses, which have their own specific requirements in the Zoning Code under other sections of Section [1262.08](#) for obtaining conditional use permits. Cabins, condominiums, vacation homes, rooms in residences being rented to guests for sleeping accommodations, owner-occupied residences, accessory dwelling units, and non-owner occupied residences are subject to the requirements of this section. An owner may subsequently apply to the Planning Commission to convert an establishment which is subject to this section to become a hotel, motel, bed and breakfast/inn or boarding/rooming/lodging house if the lodging establishment meets the criteria set forth in the Code, subject to the applicable Code sections.

\*M. If an owner or occupant does not provide proof to the Zoning Administrator that the property is the owner or occupant's primary residence, the Zoning Administrator shall deny the application for conditional use permit and it shall not be considered by the Planning Commission. The Zoning Administrator shall submit an annual summary of the current number and ratio of operator and non-operator occupied transient guest lodging permits for review by Planning Commission and Village Council to determine if adjustments should be made to permit allowances in line with affordable housing policies and Village Values, taking into consideration new housing, Census and other data.

N. A designated outdoor smoking area to be located at least fifteen feet from all property lines.

O. Proof of commercial insurance is required for non-operator occupied transient guest lodgings.

*\*Documentation of primary residence must include at least two of the following: motor vehicle registration, driver's license or state identification, tax documents, copy of lease/deed or other title documents, or utility bills. An operator can have only one primary residence.*