

# Taking the air out of Airbnb? (11)

The Bethlehem Gadfly Airbnb, Neighborhoods June 6, 2019

*(11th in a series of posts on Airbnb)*

Been a good 6 months since Gadfly buzzed about the Airbnb issue, affecting several parts of the City but especially the Northside Historical District.

But interesting news.

[Slice of Life, et al v. Hamilton Twp ZHB \(majority\)](#)

April 26, 2019

Justia Opinion Summary

The Pennsylvania Supreme Court granted discretionary review to determine whether a zoning ordinance that defined “family” as requiring “a single housekeeping unit” permitted the purely transient use of a property located in a residential zoning district. This question arose based on the increasingly popular concept of web-based rentals of single-family homes to vacationers and other short-term users (usually for a few days at a time). The Supreme Court concluded that pursuant to its prior decisions in *Albert v. Zoning Hearing Bd. of N. Abington Twp.*, 854 A.2d 401 (Pa. 2004), and *In re Appeal of Miller*, 515 A.2d 904 (Pa. 1986), the purely transient use of a house is not a permitted use in a residential zoning district limiting use to single-family homes by a “single housekeeping unit.”

Let's chew on that last line again: *“the purely transient use of a house is not a permitted use in a residential zoning district limiting use to single-family homes by a “single housekeeping unit.”*

What else can that mean than Airbnb in the Northside Historical District is not permitted.

Can we look forward to the end of Airbnb in the Northside Historical District?

The Gadfly family recently stayed in an Airbnb-type house for an extended stay in South Bend, Indiana, for the graduation of a granddaughter from the University of Notre Dame. It was a lovely stay. It beat the hell out of us all staying in separate hotel rooms.

The previously rather run-down neighborhood around campus is undergoing a change as dilapidated homes are being demolished and new homes are replacing them, new homes expressly built for Airbnb-type purposes.

Thus, that situation is quite different than what we have.

Nothing against the home-sharing industry. Fine in South Bend. It is actually kind of creating a “neighborhood” there. Home owners are for the concept.

Quite a different situation than what we have.