

**ANDERSON TOWNSHIP BOARD OF ZONING APPEALS
OCTOBER 5, 2023**

The Anderson Township Board of Zoning Appeals held a regular meeting, duly called, on October 5, 2023, at 5:30 p.m. at the Anderson Center. Present were the following members:

Steve Haber, Paul Sian, John Halpin, Paul Sheckels, and Jeff Nye

Also, present when the meeting was called to order Chris Cavallaro, Planner I, Stephen Springsteen, Planner I, and Makenzie Stewart, Co-op. A list of citizens in attendance is attached.

Staff and members of the public were asked to raise their right hand and swear or affirm to the following oath as read by **Mr. Haber**: Do you swear or affirm, to tell the truth, the whole truth and nothing but the truth, so help you, God?

Staff and those testifying replied "yes" to the oath issued by **Mr. Haber**.

Approval of Agenda

The Agenda for October 5, 2023 was approved by the Board with unanimous consent.

Approval of Minutes

The Minutes for August 3, 2023 were approved, **Mr. Sian** moved to approve, and **Mr. Halpin** seconded the motion.

Vote: 5 Yeas

Consideration of Case 19-2023 BZA

Mr. Springsteen gave a summary of the staff report for Case 19-2023 BZA.

Mr. Nye wanted to clarify that the uncovered portion of the patio is permitted, and a variance would not be needed. **Mr. Springsteen** confirmed that would be the case.

Mr. Haber stated that he has always been in favor these types of open additions and asked if the information in the second to last paragraph of the staff summary substantiate the addition because they could build the structure if it was detached.

Ms. Jessica Hagen, All Decked Out, representative for 7800 Cloveridge Ct., stated that the current property owners were having issues with the sun and lack of shading, which currently inhibits the use of the existing deck. Ms. Hagen noted that there are other similar structures in the neighborhood as is proposed and that this addition would benefit the property owners by adding value to the property, while not impeding the other neighbors.

Jim Goetzel, property owner of 7800 Cloveridge Ct., stated that the properties that would be the most affected are all in support of the proposed addition.

Mr. Nye asked if the applicant was aware that it could be possible to add conditions that could prohibit the future use of an allowed accessory structure on the property and if there were any intentions, in the future, to add an accessory structure. **Mr. Goetzel** replied that the addition would be not be enclosed. If there were, it would be a shed and that would be in a corner of the property. **Mr. Goetzel** stated that with the neighboring property with the 60' offset, there still is a lot of space.

Mr. Sheckels stated while visiting the site, he noticed a good amount of vegetation on the perimeter of the property and would like to see that stay as a buffer. **Mr. Goetzel** stated that he would like to add even more vegetation at some point.

The public hearing was closed at 5:51 PM.

Deliberation and of Case 19-2023 BZA

The Board discussed a variance request to allow a covered patio, size 18' x 18'- 6" with a rear yard setback of 22', where a 35' rear yard setback is required, per Article 3.4, C, 2, c of the Anderson Township Zoning Resolution.

Mr. Sheckels motioned to grant a variance to allow a covered patio, size 18' x 18'- 6" with a rear yard setback of 22', where a 35' rear yard setback is required, the condition that it be consistent with the 9/15/2023 plans, with two additional conditions. **Mr. Sian** Seconded.

Vote: 5 Yeas

Decision and Journalization of Case 19-2023 BZA

Mr. Sheckels moved, and **Mr. Sian** seconded to approve the variance request in Case 19-2023 BZA with conditions.

Vote: 5 Yeas

Consideration of Case 20-2023 BZA

Mr. Springsteen gave a summary of the staff report for Case 20-2023 BZA.

Mr. Haber asked if staff had received the emergency response plan from the applicant. **Mr. Springsteen** answered that staff had not received it yet. **Mr. Haber** asked what the condition that no meals served on site referred to. **Mr. Springsteen** stated services such as room service would not be permitted or included with this property.

Mrs. Darci Guriel, property owner, 1433 Wolfangel Rd. stated that she does not currently live at the property, but lives at 310 W. 12th St., Covington, KY. **Mrs. Guriel** stated she would like a conditional use certificate for a short term rental, which will not be listed on any websites such as AirBNB, nor will it be publicly listed. This property will be specifically used for a quilting /

knitting retreat. Mrs. Guriel responded to the noise and vibration condition stating that she plans on planting additional trees throughout the property and has been in contact with Anderson Township's Greenspace Inspector, Suzane Clingman. Mrs. Guriel also stated that she has specifically purchased anti-vibration tables for the occupants to use and has reached out to several local restaurants about the potential up-tick in business from this short term rental.

Mr. Nye stated that this is a four-bedroom house, but the house rules state that twelve people is the maximum occupancy per the rental agreement, which is normally more people than is usually in a four-bedroom house. Mrs. Guriel responded that the primary bedroom is very large which fits a queen-size bed along with two additional twin-size beds and another bedroom has a set of bunkbeds.

Mr. Nye asked if Mrs. Guriel could elaborate more on quilting / knitting retreats. Mrs. Guriel stated that folks typically spend 4-7 days at a retreat, sometimes with all family members, and they work on a large project, but sometimes bring individual projects to work on. Mrs. Guriel stated that it's not only popular in Ohio, but in other areas of the country as well. She also stated that the quilting / knitting community is very energetic and is looking for and are in need of these types of establishments.

Mr. Cavallaro stated that during his research in preparing the staff report for this case, he did contact members of the City of Loveland to discuss a property which is currently being used as a quilting / knitting retreat. He stated that the city said they are happy to have something like this in their community.

Mr. Nye asked when Mrs. Guriel decides to live at this property full-time, when that would be? Mrs. Guriel stated that she and her husband are at least 15 years from retirement, but circumstances can always change.

Dennis R. Lengle, resident, 1684 Wolfangel Rd. stated that she has a business very similar to the quilting retreat in Loveland, OH. Mr. Lengle stated that the Consent to Inspect the Premises is dated September 13, 2023 and that a photograph of the interior of the house with sewing tables, etc. was taken prior to September 13, 2023. Tables were being brought into the residence on September 23, 2023, again well prior to this meeting. Mr. Lengle stated that this already seems like a 'done deal', even though that's very unlikely. Mr. Lengle addressed several other concerns, such as noise, parking, and safety issues with Wolfangel Rd.

Mr. Nye asked Mr. Lengle as to what exactly his concerns with this application are. Mr. Lengle replied that he didn't have a specific concern because he lives more than 200' from 1433 Wolfangel Rd., but he opposes the issue because it would set a precedent for other types of activities along the same street.

Mr. Frank Dobmeyer, property owner, 1351 Wolfangel Rd., stated he does not believe having short term rentals should be in residential areas. Mr. Dobmeyer shared his concerns about the frequency of dishes being washed in the dishwasher, the additional stress on the sanitary sewer system, parking capacity, and traffic safety.

Mr. Sian commented that if the applicant chose to make this property a long term rental property, they would not have to be in front of the BZA for this to happen.

Mr. Nye asked Mr. Dobmeyer if he was able to provide specific instances of problematic properties. Mr. Dobmeyer stated that he has witnessed large bonfires which has caused the fire department to be called several times.

Mrs. Guriel replied that they are creating a website and reservation system specifically for the property. She stated that an LLC has been created to allow them to properly pay the correct taxes. Mrs. Guriel stated that the previous property owners did have the occasional party and comfortably fit 8 vehicles in the driveway and if there happened to be an overflow, guests would park at Kroger and be driven back to the house and that the intent is to retire to this house, but the future is unknown and plans could change. Mrs. Guriel reiterated that the Loveland retreat brings a lot of business to the community which is something she believes would be beneficial to Anderson Township.

Mr. Haber asked if the property could safely handle eight vehicles. Mrs. Guriel responded that this is what the previous owners of the property had told them and that she will suggest that groups try to carpool so to save space in the driveway. Mr. Haber asked if the board decides to add a condition about parking, would she be alright with this. Mrs. Guriel stated she would have no problem.

Mr. Sheckels asked if the garage space would be available for guest parking to allow the property to hold 8 vehicles. Mrs. Guriel replied that it would be.

Mr. Haber asked Mrs. Guriel about catering or providing food for the guests. Mrs. Guriel responded that they will not supply any food of any sort to the guests, but there is a full kitchen that will allow guests to prepare their own food. Mr. Sheckels reiterated that the applicant will not be providing any food services to the guests.

Mr. Nye asked if the applicant would consider not allowing guests to not back out onto Wolfangel. Mrs. Guriel stated she absolutely would consider this and would designate an area on the driveway as to be a turnaround point only. Mr. Nye asked if Mrs. Guriel has an opportunity to screen applicants before they rent. Most quilting retreats are mostly put together by quilting guilds and they typically provide a list of guests. Mrs. Guriel stated that they are avoiding websites like Airbnb would allow them to avoid fees that those sites add to the final price.

Mr. Sian asked Mrs. Guriel how they are advertising this property and who they are connecting with to help advertise. Mrs. Guriel stated that they have been in contact with other quilting guilds and shops around the region and that word of mouth is their best form of advertising.

Mr. Nye asked if there would be a local management company and what is their plan if the family would need to relocate further from Anderson. Mrs. Guriel stated that they plan on managing the property on their own, but if needed, they have been discussed alternative plans for this type of instance. Mr. Nye asked that if conditions of the resolution were to be violated,

that they could be at risk of losing the allowance for a short term rental. Mrs. Guriel stated that she was aware, and they are very particular about who they let stay in the house.

Mr. Sheckels asked if the applicants have supplied an Emergency Response Plan? Mr. Springsteen replied that the applicants have submitted house rules and expectations, but an emergency response plan can be provided by the applicant.

Mr. Nye moved to close the public hearing. Mr. Sian seconded the motion.

The public hearing was closed at 6:44 PM.

Deliberation of Case 20-2023 BZA

The Board discussed a conditional use request for a Short-Term Rental (STR) Facility at the premises designated as 1433 Wolfangel Rd., per Article 5.4, I, 15 of the Anderson Township Zoning Resolution.

Mr. Sheckels motioned to grant a conditional use for a Short-Term Rental (STR) Facility at the premises designated as 1433 Wolfangel Rd., per Article 5.4, I, 15 of the Anderson Township Zoning Resolution., with two additional conditions. **Mr. Sian** seconded.

Vote: 5 Yeas

Decision and Journalization of Case 20-2023 BZA

Mr. Sheckels motioned to grant a conditional use for a Short-Term Rental (STR) Facility at the premises designated as 1433 Wolfangel Rd., per Article 5.4, I, 15 of the Anderson Township Zoning Resolution., with five (5) additional conditions. **Mr. Sian** seconded.

Vote: 5 Yeas

Discussion Items

Mr. Haber moved to adjourn, seconded by **Mr. Nye**, with unanimous consent and with no objections from the Board.

The next meeting is scheduled for Thursday, November 2, 2023, at 5:30 p.m. at the Anderson Center.

The meeting was adjourned at 7:22 pm.

Respectfully submitted,



Steve Haber, Chair

