

MANLEY BURKE

a legal professional association

Timothy M. Burke
tburke@manleyburke.com
513-763-6447

October 15, 2024

Board of Zoning Appeals
Anderson Township
7850 Five Mile Road
Anderson Township, OH 45230

I write on behalf of Callista and Todd Daniels of 6537 Kentucky View Dr., Cincinnati, OH 45230. Please regard this letter as an application on their behalf for a conditional use zoning certificate permitting the use of their home as a short-term rental pursuant to §5.4115. Submitted with this letter is the payment of the \$400.00 processing charge for residential appeals to the Anderson Township Board of Zoning Appeals.

Attached as Exhibit 1 is the fully executed “Consent of Owner(s) to Inspect Premises”.

The Daniels home sits on a large lot that is 181 feet wide and 275 feet deep, over an acre in size. The home has 7 bedrooms and 3 and ½ baths, The back yard, with its incredible views of the Ohio River Valley includes a pool and is surrounded by a privacy fence, Exhibit 2 and 3 are plats showing the layout of the property which includes a detached 2 car garage. The garage is not included in the short term rentals.

As had been suggested in the September 19, 2024 letter the Daniels received from Anderson Township they were unaware that short term rentals required conditional use approval from the Board of Zoning Appeals when they began to allow their home to be used for such a purpose earlier this year. With one major exception occurring on September 15, 2024 the use of the property for short term rentals has been largely without incident. The issues associated with a “gender reveal” party on that date has caused the Daniels to rewrite the rules for short term rentals prohibiting parties, and “gatherings, loud noises or displays that could disturb the neighbors.” A copy of the revised rules is attached as Exhibit 4.

Exhibits 5 and 6 are portions of the postings of the property on Airbnb and Vrbo providing additional information regarding the property.

The Daniels currently limit the use of their property for short term rentals to the period between early May and mid-October. While prior to the notice that they are required to obtain a conditional use permit they had scheduled some short-term rentals for that period next year.

They are accepting no further reservations until this matter is resolved and will comply with the decision of the Board of Zoning Appeals. [Subject to the right to appeal pursuant to Ohio Revised Code 2506] The Daniels are determined to ensure the use of their short-term rentals respect and respond to the concerns of their neighbors. During their rental season, the Daniels live only ten minutes away and are available to respond to any issue promptly. In order to allow the Daniels to monitor the use of their property, they have a Ring doorbell camera at the front door and a camera on the detached garage. Both are regularly checked. They have also installed a noise meter in the backyard on the cabana. As you can see from the rules, they have emphasized the importance of respecting the neighbors.

Short term rentals have become an incredibly popular use in many residential neighborhoods. Anderson Township is no exception. Many short-term rental conditional use approvals have been granted in residential neighborhoods in the Township. Other sites in the Township, where the property owners are probably in the same position as the Daniels were who did not know about the requirement for a conditional use approval, are advertised on Vrbo.com and Airbnb.com.

With regard to the conditional use criteria for short-term rentals set forth in Section 5.4 of the Zoning resolution, the Daniels offer the following information:

f. Parking should not be permitted in the area defined as the front yard setback of the existing zone district.

The Daniels will mark their driveway instructing guests that any cars parked in the driveway must be 50 feet from the right of way. Guests will be advised that they may not be parked any closer to the street than that. It should be noted that parking is allowed on the south side of Kentucky View Drive. The Daniels would prefer to allow parking over the entire driveway to limit the use of legal on street parking. They will instruct their guests that they may park on the street but only directly in front of the Daniels' property. It is recognized that the restriction on the use of driveways for parking may soon be eliminated by the Trustees and the Daniels believe that would help respond to neighbors who do not like visitors parking on the street in front of their homes.

h. The vehicular use area shall be located and designed so as to minimize impact on the neighborhood.

Guests will be advised as stated above that parking of guests' vehicles will be limited to either the driveway (50 feet from the street) or on the south side of the street directly in front of the Daniels' home.

i. Measures shall be taken to minimize the impact potential nuisances such as noise, odor, vibration and dust on adjacent properties.

As stated above, the Daniels have taken aggressive steps to revise their rules to eliminate large parties, reduce noise and will be in a position to monitor the behavior of their guests. As described below, neighbors will be in a position to always contact the Daniels if there are any concerns.

n. No exterior alterations of an existing structure shall be made that depart from the residential character of the building...

The Daniels property, home and yard remain consistent with the residential character of the neighborhood. They have no plans to alter the home or garage or any structure on the property that would depart from that character.

s. All exterior lighting shall be directed away from the adjacent residential properties.

All the exterior lighting on the Daniels property is directed away from adjacent residential properties.

v. The applicant shall provide a plan indicating the way the facility will maintain contact with neighborhood residents...

Each year before the beginning of rental season, the Daniels will provide a written letter delivered either by mail, email or hand delivery reminding their neighbors within 300 feet of the Daniels property that periodically during the period between early May and mid-October their home will be subject to short term rentals. It will provide contact information for the Daniels that will include both their mobile telephone number and an email at which the Daniels can be reached if there are any questions or concerns. They will also provide a copy of their rules with that letter. It will also advise that neighbors have the right to contact the Township and provide information on how to do that. A copy of that letter will also be provided to the Aderson Township Department of Planning and Zoning. Exhibit 7, using red dots, shows the properties that will receive such notices.

x. Meals shall be served only to guests or residents of the facility...

Meals will not be served to the general public.

z. An emergency response plan shall be submitted detailing safety measures and response procedures.

The Daniels are posting in each room of their home evacuation procedures. A copy of an example of such is attached as Exhibit 8. The home is fully equipped with smoke detectors, exit signs are being placed in highly visible locations and fire extinguishers are provided in the kitchen. In the rules, information is also provided with regard to calling 911 in the event of an emergency and only after making the 911 call and assuring the safety of all has been addressed, notify the Daniels that there has been an emergency situation.

The Zoning Resolution also requires that the general considerations set forth in article 2.12.D.8 are considered. They are as follows:

8.a.i. Spirit and Intent. That proposed use and development shall comply with the spirit and intention of the zoning resolution and with district purposes.

As discussed above, short term rentals in residential areas have become a relatively common use in areas throughout the country and within Anderson Township. Properly managed they comply with the purpose of Anderson Township's Zoning Resolution

“promoting health, safety, morals, comfort or general welfare; conserve and protect property and property values and secure the most appropriate use of land. In permitting short term rentals of residential properties as conditional uses the Township has acknowledged that and that such use is compatible with residential zones.

ii. No adverse effect. The proposed use and development shall not have an adverse effect upon adjacent property, or the public health, safety and general welfare.

With the new rules in place and the Daniels ready to enforce them there is no reason to believe that the use of the property for periodic short-term rentals would have an adverse effect on adjacent property or the public health, safety and general welfare. Should problems arise the Daniels are committed to promptly dealing with them.

iii. Protection of public services. The proposed use and development should respect to the greatest extent practicable, any natural, scenic and historic features of significant public interest.

The periodic short-term rental of the property will not impact any natural, scenic and historic features in the vicinity of the Daniels home.

iv. Consistent with adopted plans. The proposed use... be harmonious with and in accordance with the general objective of the Township’s comprehensive plan and of or Zoning Resolution

The proposed use is consistent with the 2022 Comprehensive Plan. It is consistent with the plans vision of a vibrant community. And conforms to the Plan’s visions for a “Quality of Place” in which “Anderson Township will foster a unique image as part of an overall identity that can be marketed regionally and nationally.” The use of the Daniels property for short term rentals as promoted in its Vrbo and Airbnb advertising does just that taking advantage of some of the Township’s unique features including the Belterra Casino, its racetrack and the adjacent outdoor music venue.

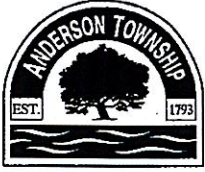
The Daniels home is located in a community very similar to those single-family neighborhoods in which the Board has already approved other short term rental conditional uses. The Daniels acknowledge and deeply regret the “gender reveal” party which violated rules and disturbed neighbors. They have promptly taken steps to prevent such conduct from happening again, demonstrating their intention to respect the concerns of their neighbors.

Thank you for your consideration.

Sincerely



Timothy M. Burke



ANDERSON TOWNSHIP BOARD OF ZONING APPEALS
CONSENT OF OWNER(S) TO INSPECT PREMISES

To: Anderson Township Board of Zoning Appeals Members and Staff
Anderson Center
7850 Five Mile Road
Anderson Township, Ohio 45230

Re: Review of Subject Site

Dear Members and Staff:

As owner(s) of the property located at 6537 Kentucky Views Dr., we hereby grant permission to Members of the Board of Zoning Appeals and Staff of Anderson Township to enter the property for visual inspection of the exterior premises and to post a public hearing sign. The purpose of said inspection is to review the existing conditions of the subject site as they relate to the application filed with the Board of Zoning Appeals.

10/13/2024
Date

Callista Daniels
Owner

Todd Dan
Owner

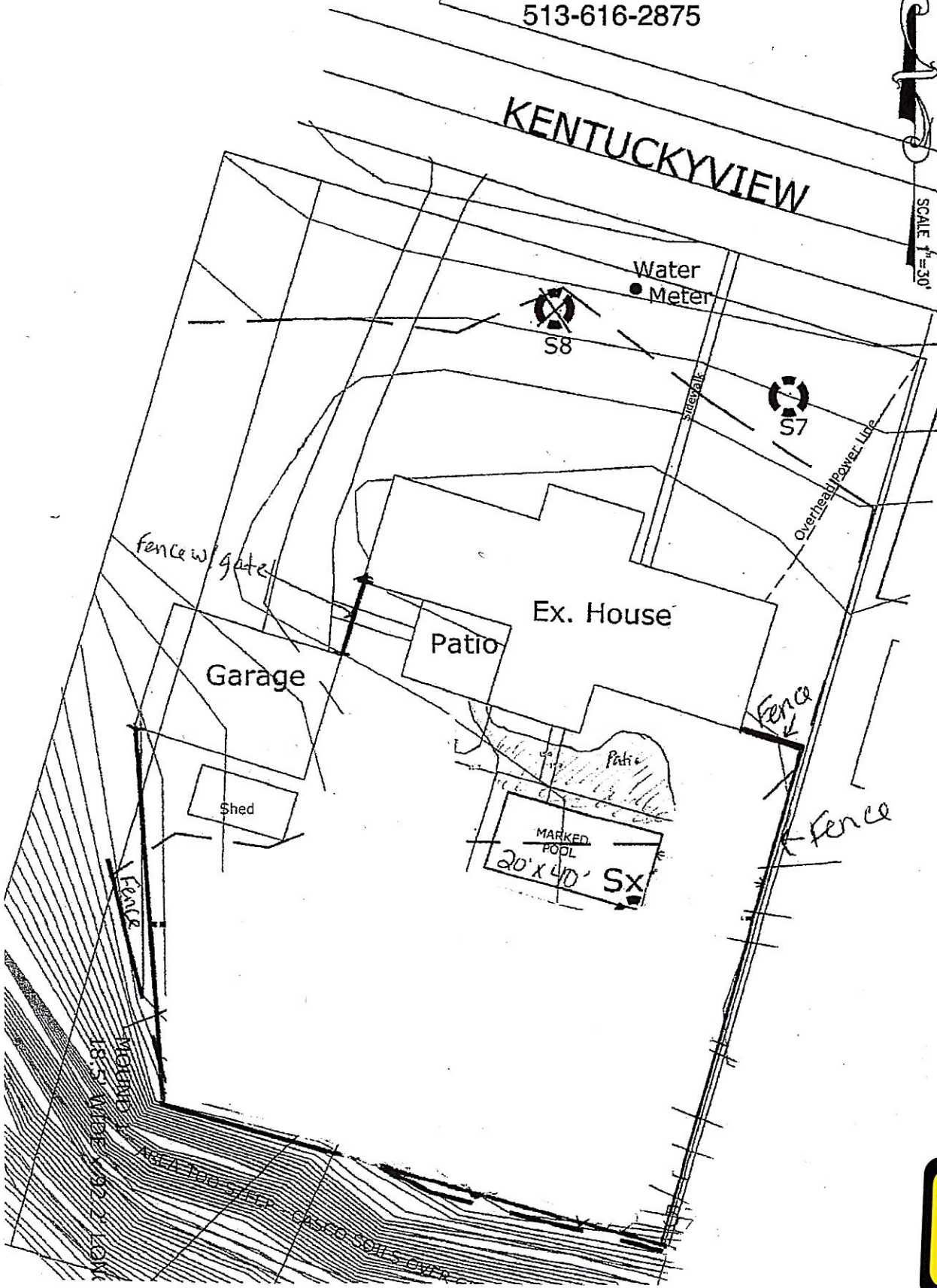
The names of the Anderson Township Board of Zoning Appeals Members are Paul Sian, John Halpin, Jeffrey Nye, Paul Sheckels, Scott Lawrence, and Greg Heimkreiter, First Alternate.



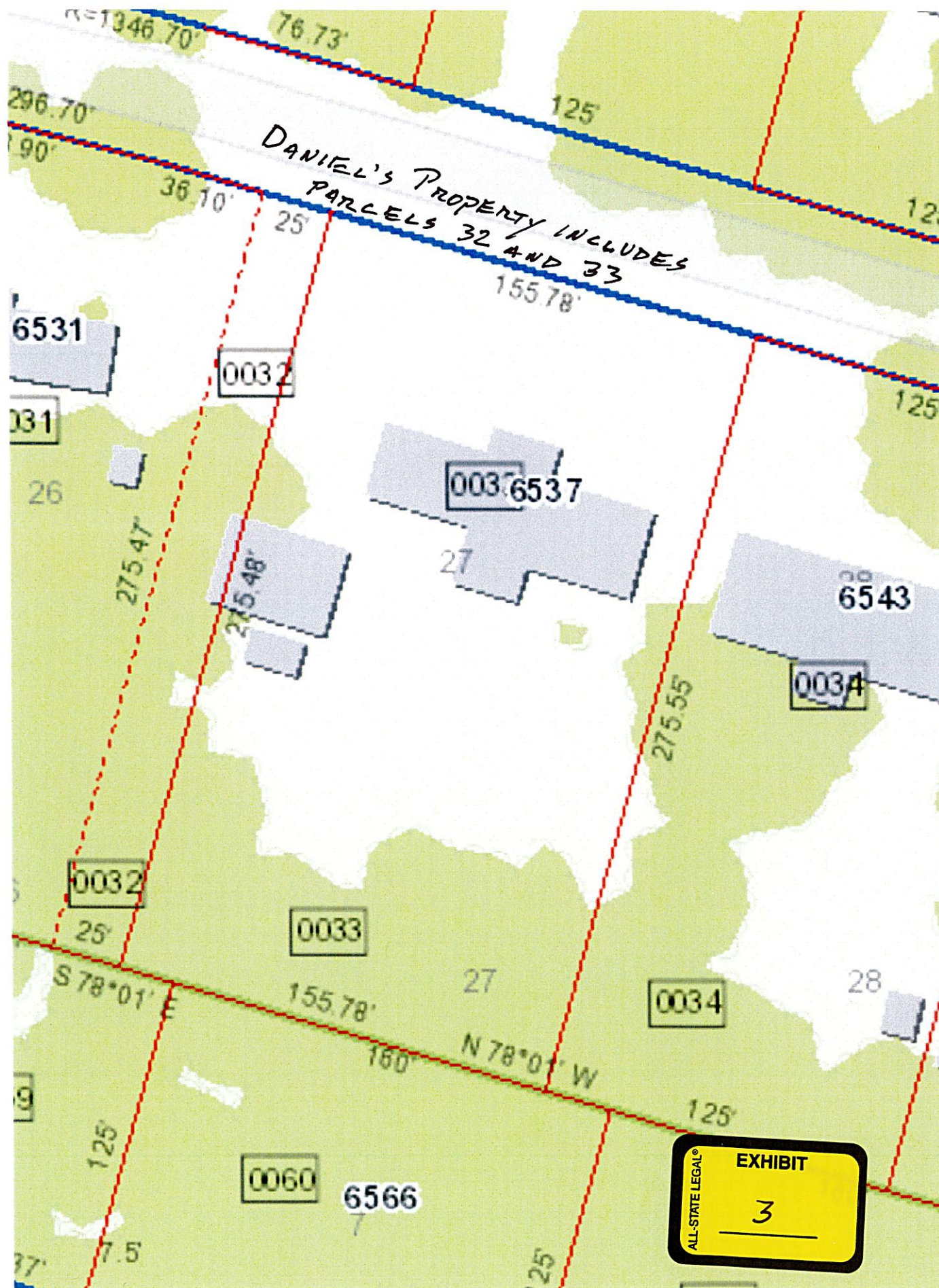
Todd & Callista Daniels
6537 Kentuckyview Dr.,
Cincinnati, OH 45230
513-616-2875



KENTUCKYVIEW



ALL-STATE LEGAL®
EXHIBIT
2



Welcome to Kentucky View Casa!!

Welcome to our home and neighborhood, we are sure you will enjoy your stay. Do keep in mind that your stay is in the middle of a single family residential neighborhood and it is important that you respect our neighbors. The following rules are intended to insure you do, while still enjoying your stay.

Callista's cell #513-616-2875

WiFi Password: 5136162875

House Rules:

- 🚫 Please respect the community & do not exceed speed limit of 25 mph
- 🚗 Park in the driveway between the garage & flag marker (No closer than 50' to street), street parking is on right side only, **please only park in front of this home in between Cincinnati Bengals flags ~WHO DEY~**
- ***NO Party's, gatherings, loud noises or displays that could disturb the neighbors*** (there is a sound meter outside in the cabana)
- 🔥 For safety there are two fire extinguishers under the kitchen sink & basement sink
- 🚪 Please familiarize yourself with the layout and emergency exit diagrams in each room
- 🚒 *In the event of a fire or any emergency requiring police, fire, or medical assistance please call 911 immediately. As soon as possible AFTER the safety of all guests have been addressed, please also call me at 513-616-2875. If for any other reason law enforcement visits the premises or if you receive a complaint from a neighbor please notify me ASAP.*
- 😊 Please report any damage immediately so that it can be addressed ASAP
- 🚭 No Smoking in the home but you can smoke anywhere outside, Thanks!
- 🌊 **Have fun in the sun & Heated Pool!!** You are responsible for yourselves and any minors in or around the pool so **please keep a watchful eye** on the little ones, There are towels & wraps in the kitchen for your use, 🍷 **NO Glass around pool area please**
- 🧼 **Clean up before check out:**
 - Please take all trash out to cans outside of back gate
 - Leave bedding on beds
 - start a load of towels in washer, put any additional soiled towels in laundry room
 - leave home in an orderly picked up fashion
 - **Clean Grill** with grill scrubber while it's hot before check out (\$50 cleaning fee applies if it is left dirty)





Anywhere

Any week

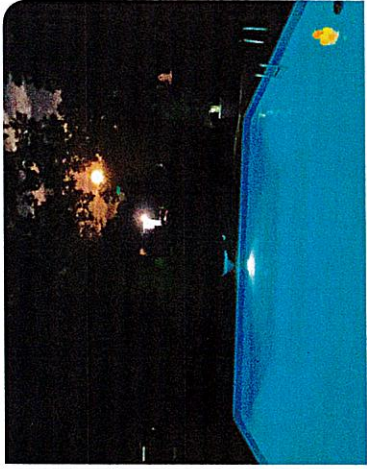
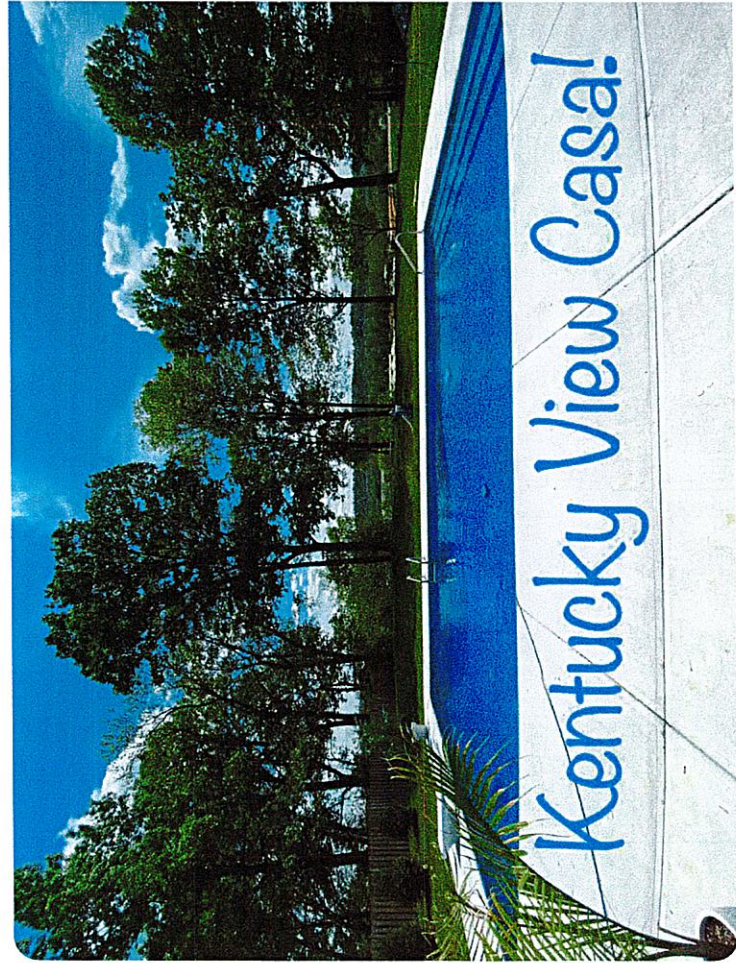
Add guests

Airbnb your home



Kentucky View Casa!

Share Save



Entire home in Cincinnati, Ohio

14 guests · 7 bedrooms · 11 beds · 4 baths



Guest favorite

One of the most loved homes on Airbnb, according to guests

5.0 ★★★★★

6 [Reviews](#)

Add dates for prices

CHECK-IN Add date	CHECKOUT Add date
GUESTS 1 guest	
▼	



Hosted by Callista
11 months hosting

Check availability



[Report this listing](#)



Self check-in

Check yourself in with the lockbox.



Unbeatable location

100% of guests in the past year gave this location a 5-star rating.



Exceptional check-in experience

Recent guests gave the check-in process a 5-star rating.

Beautiful & well appointed 6000 square foot ranch overlooking the Ohio River & Belterra Casino / horse race track! Gorgeous views, 20'x40' heated pool & huge private backyard!! You can hear the concerts from Riverbend Music Center. Coney Island, Riverbend & Belterra are only a 1.2 mile & only 15 min to downtown. 16'x18' cabana, grill, cooler, tables/seating/loungers, play set,

corn hole set & floats! There are 7 large bedrooms with 3 full & 2 half baths in this 6000sf home! NO PARTYS

The space

Large 6000 square foot range with very large rooms! Very clean, bright, & fun atmosphere!

Guest access

The entire home & yard minus three storage rooms & detached garages.

Other things to note

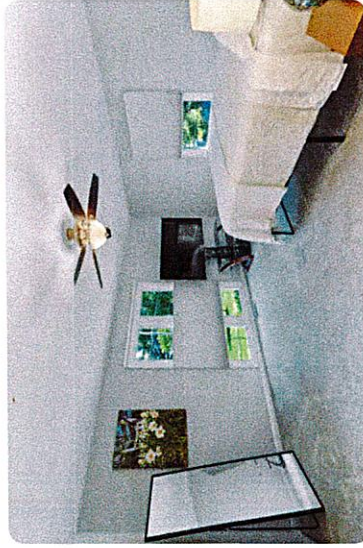
Beautiful & well appointed 6000 square foot ranch overlooking the Ohio River & Belterra Cassino horse race track! Gorgeous Kentucky views, private heated pool & loads of backyard privacy!! You can hear the concerts from Riverbend Music Center. Riverbend & Belterra are only a 1.2 mile drive, you are only 15 minutes to downtown Cincinnati, 22 minutes to CVG, & 32 minutes to Kings Island theme park! You are surrounded by restaurants, shopping and entertainment. Enjoy the 20'x40' heated inground swimming pool kept at a minimum of 87 degrees (open between May 15th through September 7th weather permitting) with pool floats, noodles, child safety floats, huge patio areas, 16'x18' cabana, grill, cooler, tables, seating, loungers, play set, corn hole set & a large fenced backyard! There are 7 large bedrooms with 3 full & 2 half baths. A cooks kitchen with double oven, large island with 4 bar stools, all the dishes & cook ware you will need, large glass dining table that seats 10, & gorgeous views. The basement has a bar area with a refrigerator, sink, pool table, a ping pong table, large rec room, family room, 1.5 baths, & two TV's. On the first floor there is a living room with a 65" TV, a huge family room with an 85" TV, & bonus room. The large main suite has a king bed, with an attached bathroom & walk in closet, plus there are 2 other bedrooms on the 1st floor and 4 bedrooms in the lower level. All bedrooms

have smart TV's, plenty of pillows, luxury sheets / bedding & loads of privacy. Bedroom 2 has a king bed, bedroom 3 has a full bed & twin bed, bedroom 4 has a queen bed, bedroom 5 has a full bed & a futon, bedrooms 5 & 6 have queen beds. Plus there is a pullout couch, two full sized air mattresses & two floor mats (twin & full sized) if needed. All bathrooms will have soaps, towels, hair dryers, toilet paper & plenty of hot water with an extra large water ...

[Show more >](#)

Where you'll sleep

1 / 5 >



Bedroom 1
1 king bed



Bedroom 2
1 king bed

What this place offers

×

About this space

Beautiful & well appointed 6000 square foot ranch overlooking the Ohio River & Belterra Casino / horse race track! Gorgeous views, 20'x40' heated pool & huge private backyard!! You can hear the concerts from Riverbend Music Center. Coney Island, Riverbend & Belterra are only a 1.2 mile & only 15 min to downtown. 16'x18' cabana, grill, cooler, tables/seating/loungers, play set, corn hole set & floats! There are 7 large bedrooms with 3 full & 2 half baths in this 6000sf home! NO PARTYS

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Park view



River view



Kitchen



Wifi



Dedicated workspace



Free parking on premises



Pool



TV



Exterior security cameras on property



~~Carbon monoxide alarm~~

Show all 75 amenities

Select check-in date

Add your travel dates for exact pricing

October 2024

November 2024



Su

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Tu

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[Clear dates](#)

5.0

Guest favorite

One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5	5.0	5.0	5.0	5.0	5.0	5.0
4						

Michael

8 months on Airbnb

★★★★ · August 2024 · Stayed with kids

The house made our trip! The kids loved the pool. The little one loved the bouncy house. We played bags. The house is very kid friendly! Plenty of room. The...

[Show more](#)

Bethany

Indianapolis, Indiana

★★★★ · July 2024 · Stayed with kids

Kentucky view was wonderful for our big family. They have thought of every detail, from having a fully stocked kitchen to bathroom. The pool was big and ...

[Show more](#)

Margaret

Camden, Alabama

★★★★ · June 2024 · Stayed with kids

Daniel

Columbus, Ohio

★★★★ · August 2024 · Stayed with kids

Callista was a great host and had a beautiful home. It was perfect for our family vacation!

Hillary

Olney, Maryland

★★★★ · June 2024 · Stayed with kids

We really enjoyed the place. It was so beautiful and calm- we had a great time!

Maureen

9 months on Airbnb

★★★★ · June 2024 · Stayed with kids

We could not have been happier with our stay at Kentucky View Casa! Our family rented for a staycation to spend our parents' 40th wedding...

[Show more](#)

Kentucky View Casa was a perfect home for our group of families (12 people total). The house is large and well stocked and had plenty for all to stay...

[Show more](#)

Where you'll be

Cincinnati, Ohio, United States



Home > Vacation Rentals > United States of America > Ohio > Hamilton County >

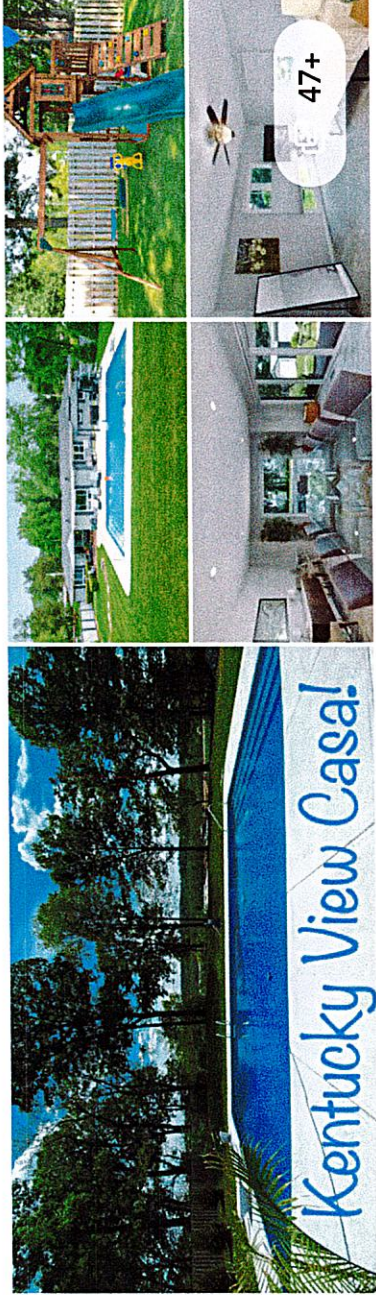
15 min to downtown with inground pool & views of Ohio River & Belterra!, Hamilton County

See all properties Save

Entire home

15 min to downtown with inground pool & views of Ohio River & Belterra!

Where to? Cincinnati, Ohio,... Dates 2 travelers Search



Overview Amenities Policies Location Host




10 **Exceptional**

[See all 11 reviews >](#)

 7 bedrooms


 3+ bathrooms


 Sleeps 14

 6000 sq ft

Popular amenities

 Barbecue grill

 Parking available

 Pool

 Washer

 Kitchen

 Air conditioning

[See all >](#)

Explore the area



Cincinnati, OH

[View in a map](#)

 Belterra Park Gaming and Entertainment Center 3 min drive

 Conev Island 3 min drive

Add dates for prices

 Check-in
Select date

 Check-out
Select date

 Travelers
1 room, 2 travelers

Check availability

- 

Riverbend Music Center
4 min drive
- 
Cincinnati, OH (LUK-Cincinnati Municipal - Lunken Field)
10 min drive

[See more](#)

Rooms & beds

7 bedrooms (sleeps 14)

		
Bedroom 1 	Bedroom 2 	Bedroom 3 
1 King Bed	1 King Bed	1 Double Bed and 1 Twin Bed
		
Bedroom 4 	Bedroom 5 	Bedroom 6 
1 Queen Bed	1 Queen Bed and 1 Double Bed	1 Queen Bed
		
Bedroom 7	Living Room 1	Living Room 2



1 Queen Bed



1 Double Sofa
Bed



1 Twin Futon

3 bathrooms, 2 half bathrooms

Bathroom 1



Soap · Towels provided · Toilet · Shower only · Shampoo · Hair dryer

Bathroom 2



Soap · Towels provided · Bathtub or shower · Toilet · Shampoo · Hair dryer

Bathroom 3



Soap · Towels provided · Toilet · Shower only · Shampoo · Hair dryer

Bathroom 4



Soap · Towels provided · Toilet

Bathroom 5



Soap · Towels provided · Toilet

Spaces



Deck or patio



Porch or lanai



Kitchen



Separate dining area



Outdoor play area



Garden

ψ Dining Area

[See all rooms and beds details](#)

About this property

15 min to downtown with inground pool & views of Ohio River & Belterra!

Beautiful & well appointed 6000 square foot ranch overlooking the Ohio River & Belterra Casino horse race track! Virtual Tour: <https://cincyphotopro.aryeo.com/sites/dxkpmxn/unbranded> Gorgeous Kentucky views, private heated pool & loads of backyard privacy!! You can hear the concerts from Riverbend Music Center. Riverbend & Belterra are only a 1.2 mile drive, you are only 15 minutes to downtown Cincinnati, 22 minutes to CVG, & 32 minutes to Kings Island theme park! You are surrounded by restaurants, shopping and entertainment. Enjoy the 20'x40' heated inground swimming pool kept at a minimum of 87 degrees (open between May 15th through September 7th weather permitting) with pool floats, noodles, child safety floats, huge patio areas, 16'x18' cabana, grill, cooler, tables, seating, loungers, play set, corn hole set & a large fenced backyard! There are 7 large bedrooms with 3 full & 2 half baths. A cooks kitchen with double oven, large island with 4 bar stools, all the dishes & cook ware you will need, large glass dining table that seats 10, & gorgeous views. The basement has a bar area with a refrigerator, sink, pool table, large rec room, family room, 1.5 baths, & two TV's. On the first floor there is a living room with a 65" TV, a huge family room with an 85" TV, & bonus room. The large main suite has a king bed, with an attached bathroom & walk in closet, plus there are 2 other bedrooms on the 1st floor and 4 bedrooms in the lower level. All bedrooms have smart TV's, plenty of pillows, luxury sheets / bedding & loads of privacy. Bedroom 2 has a king bed, bedroom 3 has a full bed & twin bed,

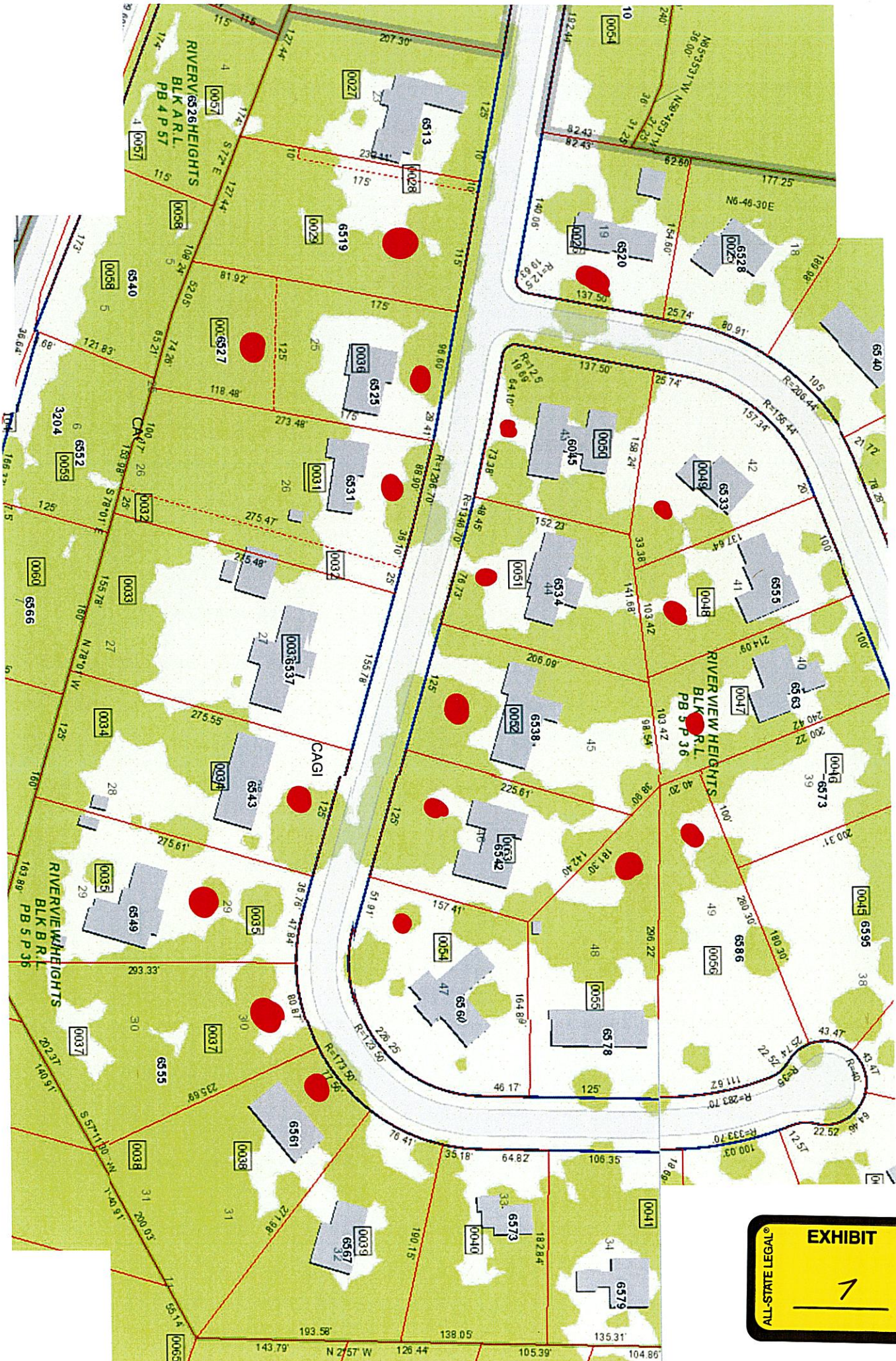
bedroom 4 has a queen bed, bedroom 5 has a full bed & a futon, bedrooms 5 & 6 have queen beds. Plus there is a pullout couch, two full sized air mattresses & two floor mats (twin & full sized) if needed. All bathrooms will have soaps, towels, hair dryers, toilet paper & plenty of hot water with an extra large water heater. There is a washer & dryer on the 1st floor where we provide detergent for a few washes. You can enjoy free high speed internet / WiFi. It is very kid friendly here with a crib, 3 bedside baby bassinets, pack-n-play, baby walker, baby bouncer, toys, games, pool safety floats, playset, bouncy house, & outdoor fun! This home is perfect for the whole group to have fun or relax! NOTE: No parties & no loud or disruptive noise displays allowed.

Property manager

Callista

Languages

English



ALL-STATE LEGAL®
EXHIBIT
7

