



ANDERSON TOWNSHIP PLANNING AND ZONING - STAFF REPORT  
**CASE NUMBER 12-2025 BZA**  
**7515 FOREST ROAD**  
FOR CONSIDERATION BY THE BOARD OF ZONING APPEALS ON JUNE 5, 2025.

APPLICANT:	Chris Patek of MSA Design, on behalf of Anderson Hills Church, property owner.		
LOCATION & ZONING:	7515 Forest Road (Book 500, Page 204, Parcel 31) – “C” Residence		
REQUEST:	<p>A conditional use and variance request for the replacement of existing signage and addition of new signage including two temporary banners, size 14 SF, proposed to be hung for longer than 48 days, total wall signage at approximately 182 SF, two private traffic control signs, size 15 SF, and one private traffic control sign, size 23 SF, where only one temporary sign larger than 8 SF can be displayed per property and can only be displayed for a maximum of 48 days, wall signage shall not exceed 20 SF per building, and private traffic control signs shall not exceed 4 SF per Article 5.5, E, 10, Article 5.5, F, 4, and Article 5.5, G, 5, d of the Anderson Township Zoning Resolution.</p> <p><i>Note: Revised plans dated 5/29/2025 removed the need for the variance request for the private traffic control signs.</i></p>		
SITE DESCRIPTION:	Tract Size:	7.013 acres	
	Frontage:	Approximately 353’ on Beechmont and 784’ on Forest.	
	Topography:	Mostly flat	
	Existing Use:	Anderson Hills Church	
SURROUNDING CONDITIONS:		<u>ZONE</u>	<u>LAND USE</u>
	North:	“E PUD” Retail	Anderson Towne Center/CVS
	South:	“B” Residence	Single Family Residences
	East:	“EE” Planned Retail	Christ Hospital
		“B” Residence	Anderson High School fields
	West:	“OO” Planned Office /	TriHealth
		“O” Office	Anderson Hills Church Offices/ Anderson Pointe Medical Office Building
PROPOSED DEVELOPMENT:	<p>Anderson Hills Church is updating their branding and signage. Some of these changes were approvable by staff including the freestanding sign, M01, the two directional signs, WF02 and WF05, and both private traffic control signs, WF04 and WF06. The remaining requests are for new signage.</p> <p><b>Request A</b> is to display two banners facing Beechmont Ave, EX02 and EX03, which are each 14 sq. ft. The applicant anticipates changing the banners seasonally but displayed throughout the year. <b>Request B</b> is to install a total of 182 sq. ft. of wall signage to the property on several different facades where only 20 sq. ft. is permitted per building per Article 5.5, F, 4. These wall signs include EX05, a 108.28 sq. ft. sign facing Beechmont Ave, EX06 a 15 sq. ft. sign facing south, EX07, a 15.45 sq. ft. sign facing the interior of the property, EX08, a 35.07 sq. ft. sign facing east and at least partially viewable from Forest Rd, and EX09, an 8.22 sq. ft. sign facing south.</p>		

The applicant initially requested substantially modifying one existing private traffic control sign, WF06, and installing three additional private traffic control signs which are the same size as the existing 15 sq. ft. signs such as WF05. However, the plans dated 5/29/2025 removed the additional signs which required a variance, and revised the proposed design for WF06 to be a reface of the existing sign.

The proposal requires variances from Article 5.5, E, 10 to allow more than one banner larger than 8 sq. ft. on the property and to allow their display longer than 48 days per year and Article 5.5, F, 4 to permit more than 20 sq. ft. of wall signage per building.

#### **HISTORY:**

The Hamilton County Auditor lists the original construction date to be 1958.

In 1989, a zoning certificate was issued for an addition including a two-story classroom wing south of the sanctuary and expansion to the existing office space east of the sanctuary.

In 1990 a zoning certificate was issued for the accessory garage building located at the south end of the property. Another zoning certificate was issued for a compost bin in the southwest corner of the property which appears to have been removed in the early 2000s.

In 1991, a zoning certificate was issued for a 4' high chain link fence around the playground area south of the church buildings.

In 1992 a zoning certificate was issued for repair of the concrete steps north of the sanctuary facing Beechmont Avenue. In 1999, a zoning certificate was issued for the addition of the fellowship hall auditorium south of the sanctuary, and parking modifications.

In 2002 a zoning certificate was issued for the 55 sq. ft. freestanding sign along Beechmont Ave which was granted by Case 26-2002 BZA.

In 2009 a zoning certificate was issued for modifications to the same freestanding sign along Beechmont Ave.

In 2010 a zoning certificate was issued for three private traffic control signs, including WF06 and WF04 south, as granted by Case 18-2010 BZA.

In 2016 a zoning certificate was issued for additional classroom space in the center of the church campus and an entry vestibule on the southern end of the campus as granted by Case 33-2015.

In 2018 a zoning certificate was issued for four directional signs, including WF02 and WF05, as granted by Case 2-2018 BZA.

In January 2025 a zoning certificate was issued for a replacement of the freestanding sign along Beechmont Ave, M01 which was also included in this application.

In March 2025 a zoning certificate was issued for accessory structures, fences, and parking modifications as granted by Case 4-2025 BZA which was considered by the Board on February 6, 2025.

**FINDINGS:**

To authorize by the grant of a special zoning certificate after public hearing, the Board of Zoning Appeals shall make a finding that the proposed conditional use is appropriate in the location proposed. The finding shall be based upon the general considerations set forth in Article 2.12, D, 8 and as well as the designated specific criteria for specific uses contained in Article 5.4, I, 7.

Specific Criteria

*Church, Sunday School, and other places of worship – (h), (l), (o,i), (p,iii), (s);*

- (h) The vehicular use area shall be located and designed so as to minimize impact on the neighborhood. – **In compliance, no changes to the vehicular use area.***
- (l) Measures shall be taken to minimize the impact of potential nuisances such as noise, odor, vibration, and dust on adjacent properties. – **In compliance, no changes which may impact any potential nuisances.***
- (o) Landscaping shall be installed in accordance with one of the following buffers:
  - (i) Boundary Buffer of 10 feet with 3.3 canopy trees and 10 shrubs per 100 l.f. – **In compliance, there are no proposed changes to vegetation.****
- (p) Signage shall be regulated as follows:
  - (iii) Subject to sign standards in Article 5.5,F,4 – **Not in compliance, the applicant is requesting a variance from this requirement as well as 5.5, E, 10.****
- (s) All exterior lighting shall be directed away from adjacent residential properties. – **In compliance, the applicant has stated that lighting levels will not be altered.***

Article 2.12, D, 8, a

**Spirit and Intent:** Granting this request may not comply with the spirit and intent of the zoning resolution and does not comply with district purposes. The amount of signage requested exceeds the signage on all nearby properties except for those zoned for retail.

**No Adverse Effect:** The proposed development may have an adverse impact on adjacent properties.

**Protection of Public Services:** The proposed development will not impact public services in any detrimental way.

**Consistent with Adopted Township Plans:** The conditional use is in accordance with the Township's Comprehensive Plan and Zoning Resolution:

The project is consistent with the following goal in the "Quality of Place" section of the 2022 Anderson Township Comprehensive Plan:

*"The community will maintain a high quality of life that includes quality schools, entertainment, cultural activities, health care, religious offerings and diverse parks, open space, and recreation system." (pg. 36)*

Variance Standards:

Findings from staff on the variance requests for signage:

**Request A (banners):**

Staff is of the opinion that the variance is substantial. Year-round display of banners or other temporary signs is a substantial increase from the 48 days per year permitted by the Anderson Township Zoning Resolution. Additionally, the applicant is requesting two banners be displayed when only one would be permitted by right. Two other banners are already permitted to be displayed year-round on the property through Case 18-2010 BZA.

Staff is of the opinion that the essential character of the neighborhood will be altered. No other property is permitted to display banners year-round along Beechmont Avenue or in residential zoning districts in Anderson Township. The two existing banners were approved with the rationale that they were screened by vegetation and functioned as traffic control signage while the requested banners act as wall signage along Beechmont Ave. Even if the property were zoned as an office or retail district like several of its neighbors, it would be limited to one temporary sign up to 32 sq. ft. which could only be displayed 48 days.

The variance would not adversely affect the delivery of governmental services.

The property owner's predicament cannot be feasibly obviated by some method other than a variance.

Staff is of the opinion that the spirit and intent behind the zoning requirement would not be observed by granting the variance. The intent of the zoning requirement is for banners to be used in a temporary manner, not installed in place of permanent signage. Granting this variance would permit the applicant to essentially have an additional 28 sq. ft. of wall signage which is already greater than the 20 sq. ft. permitted for the whole building in Article 5.5, F, 4 before considering the amount of wall signage requested as part of this case. This request would be out of character even if the property were zoned as a retail or office district like some of the neighboring properties.

**Request B (wall signage)**

Staff is of the opinion that the variance is substantial. The applicant is requesting 182 sq. ft. of wall signage not including the two 14 sq. ft. banner signs. This request is substantially higher than the 20 sq. ft. per building permitted in Article 5.5, F, 4.

Staff is of the opinion that the essential character of the neighborhood would be altered. The applicant's request exceeds the signage on several neighboring properties. Anderson High School, zoned "B" Residence, was permitted up to 125 sq. ft. of wall signage through Case 15-1996 BZA. TriHealth, 7691 Five Mile Rd and zoned "OO" Planned Office, requested 174 sq. ft. of wall signage but was only granted 111 sq. ft. through Case 3-

1983 Anderson Major Modification which was heard by the Zoning Commission in 2022. Other nearby properties with office zoning include Zimcom (1080 Nimitzview) – two wall signs at 70 sq. ft. in size, Donohoo (1095 Nimitzview Dr.) – one 40 sq. ft. wall sign, Anderson Pointe (7655 Five Mile) – one 19.35 sq. ft. wall sign, Stagnaro, Saba, and Patterson (7373 Beechmont) – one 49 sq. ft. wall sign on the north façade and one 30 sq. ft. wall sign on the east façade.

The variance would not adversely affect the delivery of governmental services.

Staff is of the opinion that the spirit and intent of the zoning requirement would not be observed by granting the variance. The intent of limiting churches and other institutional uses in residential districts to 20 sq. ft. is to have minimal impact on adjacent residential properties and to act as a transition between more intensely zoned properties and residential properties. This request exceeds all surrounding properties which are not zoned for retail.

**STANDARDS TO  
BE CONSIDERED:**

The aforementioned conditional use request should be evaluated on the following criteria from Article 5.4 of the Zoning Resolution:

Church, Sunday School, and other places of worship – (h), (l), (o,i), (p,iii), (s);

- (h) The vehicular use area shall be located and designed so as to minimize impact on the neighborhood.*
- (l) Measures shall be taken to minimize the impact of potential nuisances such as noise, odor, vibration, and dust on adjacent properties.*
- (o) Landscaping shall be installed in accordance with one of the following buffers:*
  - (i) Boundary Buffer of 10 feet with 3.3 canopy trees and 10 shrubs per 100 l.f.*
- (p) Signage shall be regulated as follows:*
  - (iii) Subject to sign standards in Article 5.5,F,4*
- (s) All exterior lighting shall be directed away from adjacent residential properties.*

In determining whether to grant a special zoning certificate, the Board shall consider and apply the following standards:

- (1) Spirit and intent. The proposed use and development shall comply with the spirit and intention of the Zoning Resolution and with purposes.
- (2) 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.
- (3) Protection of public services: the proposed used and development should respect, to the greatest extent practicable, any natural, scenic and historic features of significant public interest.

- (4) Consistent with adopted plans; the proposed use and development shall, as applicable, be harmonious with and in accordance with the general objective of the Township's comprehensive plan and/or Zoning Resolution.

The aforementioned variance request should be evaluated on the following criteria:

- (1) The property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
- (2) The variance is substantial.
- (3) The essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance.
- (4) The variance would not adversely affect the delivery of governmental services (i.e. water, sewer, garbage).
- (5) The property owner purchased the property with knowledge of the zoning restrictions.
- (6) The property owner's predicament can be feasibly obviated through some method other than a variance.
- (7) The spirit and intent behind the zoning resolution would be observed and substantial justice done by granting the variance.

*Disclaimer: This staff recommendation is based on the facts known to the author at the time the recommendation was made. Staff attempted to use those known facts to analyze the relationship of those facts to the standards set forth in the Zoning Resolution for the particular issue and property before the BZA, and in keeping with past decisions of the BZA. The BZA members have an obligation to consider all of the evidence that is entered into this case during the BZA hearing through the sworn testimony of the witnesses, as well as the documents submitted as part of the witnesses' testimony. The staff recommendation should be considered as part of the evidence before you. The Zoning Resolution empowers the BZA to make reasonable interpretations of the Zoning Resolution, to judge the credibility and reliability of the witnesses, and to decide each case based on the evidence presented during the BZA hearing process.*