



ANDERSON TOWNSHIP PLANNING AND ZONING - STAFF REPORT

**CASE NUMBER 8-2025 BZA**

**596 SUTTON ROAD**

FOR CONSIDERATION BY THE BOARD OF ZONING APPEALS ON MAY 1, 2025.

**APPLICANT:** Matthew Motz of Peepis Properties LLC, property owner.

**LOCATION & ZONING:** 596 Sutton Road  
Book 500, Page 470, Parcels 80 and 344 - "A" Residence.

**REQUEST:** A conditional use request for a Short-Term Rental (STR) per Article 5.4, I, 15 of the Anderson Township Zoning Resolution.

**SITE DESCRIPTION:**

<i>Tract Size:</i>	1.392 Acres
<i>Frontage:</i>	Approximately 167' on Sutton Road
<i>Topography:</i>	Relatively flat, slopes upward in the rear yard
<i>Existing Use:</i>	Single Family Residence

<b>SURROUNDING CONDITIONS:</b>	<u>ZONE</u>	<u>LAND USE</u>
	<i>North:</i> "A" Residence	Single Family Residence
	<i>South:</i> "A" Residence	Township Greenspace
	<i>East:</i> "A" Residence	Township Greenspace
	<i>West:</i> "SF-20" (Cincinnati)	Single Family Residence

**PROPOSED DEVELOPMENT:** The applicant is proposing the operation of a Short-Term Rental (STR) in an existing house in a single-family residence. The applicant has stated that there will be no exterior alterations or lighting changes. Short-Term Rentals are a conditional use in residential districts.

**HISTORY:** The property was constructed in 1940. In 2018, the current property owner (Peepis Properties LLC) purchased the property.

There is no zoning history on file for the property.

**FINDINGS:** To authorize by the grant of a special zoning certificate after a public hearing, the Board of Zoning Appeals shall make a finding that the proposed conditional use is appropriate in the location proposed. The findings shall be based upon the general considerations set forth in Article 2.12, D, 8 as well as the designated specific criteria for specific uses (Short Term Rental) contained in Article 5.4, I, 15.

General Criteria in Article 2.12, D, 8, a:

Staff is of the opinion that the proposed use would comply with the spirit and intent of the Anderson Township Zoning Resolution and with the District purposes by meeting the conditional use standards.

Staff is of the opinion that the proposed STR would not have an adverse effect. The applicant has stated that there will be one (1) exterior doorbell camera triggered by

motion and recordable video. The applicant lives in the Anderson Township area, approximately 2 minutes away from the property in question and the property will be regularly monitored by the property owners.

Staff is of the opinion that the proposed STR will respect natural, scenic, and historic features of significant public interest. The applicant has stated that no exterior alterations or lighting changes will be made. There will be no affect to public services.

The conditional use is in accordance with the following areas of the Township's Comprehensive Plan:

The project is consistent with the following goal and initiative in the "Housing" chapter of the 2022 Comprehensive Plan, which states:

*"Anderson Township is home to diverse housing options to meet changing demographics and market demands"*

*"Encourage the development and redevelopment of a variety of housing styles and densities in appropriate areas of the township"*

*This property is designated for a single-family cluster residence use on the Future Land Use Map, staff feels that the proposed Short Term Rental is consistent with this use classification.*

Specific Criteria in Article 5.4, I, 15

*Short- term Rental (h), (l), (m), (s), (v), (x)*

*h. The vehicular use area shall be located and designed so as to minimize impact on the neighborhood. **Compliant** – the applicant has listed in the Short-Term Rental contract that there can be two (2) cars in the driveway and two (2) cars in the garages, with a maximum of four (4) cars being allowed on the property.*

*l. Measures shall be taken to minimize the impact of potential nuisances such as noise, odor, vibration, and dust on adjacent properties. **Compliant** – the applicant has established quiet hours, no parties/events, no smoking/ drug use, all listed within the contract that the guest must agree to when booking the property. The applicant indicated that there is a 3-night minimum to discourage any "overnight or weekend partying". Additionally, the property has an exterior doorbell camera triggered by motion and recordable video.*

**They have few immediate neighbors that have visibility of the property due to location, foliage and neighbors to the north, Township owned Greenspace to the east, foliage and neighbors to the south, and neighbors in the Cincinnati District adjacent from the site. There was a discrepancy between the submitted documents and the auditor site. The submitted application listed the size of this property at nearly two acres, the auditor site lists the combined total of his two parcels at less than 1.4 acres.**

*m. No exterior alterations of an existing structure shall be made that depart from the residential character of the building. All new structures shall be compatible in residential design with the surrounding neighborhood. However, any improvement required by code or necessitated by licensing requirements shall not be deemed incompatible. **Compliant – the applicant has stated that no exterior alterations will be made. Although, questions did arise from staff when doing a site visit regarding the use of the detached garage.***

**The application stated there was enough room for 6 guests to sleep in the house with a seventh that could sleep on the sleeper sofa. Given the small nature of the residence, the size of detached garage, and the large air conditioning unit for the detached garage, staff was concerned that the garage was a possible location for guests to sleep in. Staff would like clarity on the sleeping arrangements, given that utilizing the detached garage for occupancy is not permitted and would not be eligible to for guests to sleep in at the STR. No zoning information is on file at the Township for any conversion of the garage into living space.**

*s. All exterior lighting shall be directed away from adjacent residential properties. **Compliant – the applicant has stated no changes to lighting proposed.***

*v. The applicant shall provide a plan indicating the manner in which the facility will maintain contact with neighborhood residents along with a structured procedure whereby resident's grievances may be filed with the Township and resolved by the facility. **Compliant – the applicant will provide contact information and Anderson Township contact information, which will be distributed to neighbors.***

*x. Meals shall be served only to guests or residents of the facility and not to the general public. **Compliant – no meals will be served.***

**STANDARDS TO BE  
CONSIDERED:**

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

Short-term Rental (f), (h), (l), (m), (s), (v), (x), (z)

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

*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.*

*m. No exterior alterations of an existing structure shall be made that depart from the residential character of the building. All new structures shall be compatible in residential design with the surrounding neighborhood. However, any improvement required by code or necessitated by licensing requirements shall not be deemed incompatible.*

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

*v. The applicant shall provide a plan indicating the manner in which the facility will maintain contact with neighborhood residents along with a structured procedure whereby resident's grievances may be filed with the Township and resolved by the facility.*

*x. Meals shall be served only to guests or residents of the facility and not to the general public.*

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 affect. The proposed use and development shall not have an adverse affect upon adjacent property, or the public health, safety and general welfare.
- (3) 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.
- (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.

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.