ANDERSON TOWNSHIP PLANNING AND ZONING - STAFF REPORT

CASE NUMBER 24-2026 BZA
2137 FORESTLAKE DRIVE

FOR CONSIDERATION BY THE BOARD OF ZONING APPEALS ON NOVEMBER 5, 2026.

APPLICANT: Cecilia & Richard Temple, property owners.

LOCATION & ZONING: 2137 Forestlake Drive – Book 500, Page 132, Parcel 97
"B" Single Family Residence

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

SITE DESCRIPTION:

Tract Size:	0.461 Acres
Frontage:	Approximately 100' on Forestlake Drive
Topography:	Relatively flat
Existing Use:	Single Family Residence

SURROUNDING CONDITIONS:

	ZONE	LAND USE
North:	"B" Residence	Single Family Residence
South:	"B" Residence	Single Family Residence
East:	"B" Residence	Single Family Residence
West:	"B" Residence	Single Family Residence

PROPOSED DEVELOPMENT: The applicant is proposing to operate a Short-Term Rental (STR) in an existing house. No exterior modifications to the property are proposed. The STR would be operated as a conditional use in accordance with Anderson Township Zoning Resolution Article 5.4, I, 15.

HISTORY: The Hamilton County Auditor lists the home as constructed in 1953. A zoning certificate was issued in 1994 for an addition in the rear of the residence. The current property owner purchased the property in October of 2023, and it is currently listed as a rental property in Hamilton County. A conditional-use zoning certificate was issued for the property owners through Case 19-2026 BZA for a different Short-Term Rental at 8379 Holiday Hills Drive. No other zoning history is on file.

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.

<u>General Criteria in Article 2.12, D, 8, a:</u>

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 will likely not have an adverse impact on adjacent properties, public health, safety, or the general welfare of the community. The use will be consistent with a single-family dwelling and minimizes impacts on adjacent

properties with rules for parking, quiet hours, and pre-approved parties. The property also has a security camera on the front of the residence to help monitor the property. More information on what parties would receive approval would help confirm whether the use will have an adverse impact.

Staff is of the opinion that the proposed STR will respect natural, scenic, and historic features of significant public interest. No exterior or structural modifications are proposed. There will be no additional impact on 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"

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 application states that guests will be instructed that they should only park in the driveway or garage. Street parking is allowed, but only on one side of the street, in front of the home. Street parking isn't needed due to the size of the driveway.**

l. Measures shall be taken to minimize the impact of potential nuisances such as noise, odor, vibration, and dust on adjacent properties. **The applicant states that there is a security camera in the front of the property. If there are any concerns, they can reach out to Cecilia, the property owner. Quiet hours are to be enforced from 11:00pm to 7:00am and no parties are allowed without prior approval from the property owner. More information from the applicant regarding the pre-approval of parties would confirm whether the use will comply with this criteria.**

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 - No exterior alterations or new structures are proposed.**

s. All exterior lighting shall be directed away from adjacent residential properties. **Compliant – No new lighting is proposed. Existing lighting is directed away from neighboring residences.**

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. **The owner's information has been provided to neighboring residences. The owners live within 3 miles of the STR and maintain the property.**

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:

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.

<u>General Criteria in Article 2.12, D, 8, a:</u>

(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.

<u>Specific Criteria in Article 5.4, I, 15</u>
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.

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.

RECOMMENDED CONDITIONS:

In addition to the standard condition of substantial conformance with the submitted plans, Township staff recommends the following conditions should the Board approve this request:

1. Local property management is accessible when the property is rented.
2. Participation in the host platform's ID verification program.
3. Maintain contact information accessible for Law Enforcement and Fire/EMS Services.

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.