

**ANDERSON TOWNSHIP BOARD OF ZONING APPEALS  
JULY 6, 2023**

The Anderson Township Board of Zoning Appeals held a regular meeting, duly called, on July 6, 2023, at 5:30 p.m. at the Anderson Center. Present were the following members:

**Paul Sian, John Halpin, Jeff Nye, and Scott Lawrence, Alternate**

Also, present when the meeting was called to order Chris Cavallaro, Planner I, and Stephen Springsteen, Planner I. 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. Sian: 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. Sian.

**Approval of Agenda**

The Agenda for July 6, 2023, was approved by unanimous consent with no objections from the Board.

**Approval of Minutes**

The Minutes for June 1, 2023, were approved, Mr. Sian moved to motion, and approved by the Board with unanimous consent.

**Consideration of Case 16-2023 BZA**

Mr. Springsteen gave a summary of the staff report for Case 16-2023 BZA.

Mr. Sian asked if there were any questions from the board.

Mr. Nye asked staff if there had been any violations from the previously approved short-term rentals.

Mr. Cavallaro answered that he was not aware of any complaints or property maintenance violations from the previously approved short-term rentals.

Ms. Kim Schaefer, representative for the owners of 1146 Alnetta Dr., stated she does live out of town in Denver, Colorado, and that both her and her husband grew up in Anderson Township and attended Anderson High School. Ms. Schaefer stated that the intent of buying the property was to allow their family of four to visit friends and other family members without intruding on others while visiting.

Ms. Schaefer stated that every time they visited town, they stay at an AirBNB and it was becoming cost prohibitive. Creating an AirBNB (short-term rental) would allow them to recoup costs as well as offer this property to other families in similar situations as theirs.

**Mr. Sian** stated that we saw from the applicant's packet of information that a local family member will be the property manager. Ms. Schaefer answered that Chris Shaefer and Matthew Schaefer would be the local property manager(s) and they have signed a 1-year contract with a yard mowing company to maintain the yard. Ms. Schaefer stated that there are three outdoor cameras as well as a password protected entry lock and a remotely controlled thermostat.

**Mr. Sian** asked where Chris Shaefer lives and Ms. Schaefer answered, 1952 Lady Ellen Drive. Mr. Sian asked about sound monitoring devices within and around the property and Ms. Schaefer stated that they have decided not to install any sound monitoring devices at this point. Mr. Sian asked about minimum stays and Ms. Schaefer answered that there is a 2-night minimum.

**Mr. Bob Hesch, property owner, 1088 Alnetta Ln.** stated he was disturbed by Mr. Cavallaro's statement about reported violations at short-term rentals. Mr. Hesch stated that he has called the police on several occasions for vehicles parking and blocking the sidewalks.

**Mr. Sian** stated to Mr. Hesch that comments need to be in reference to the property in question for BZA and not the neighborhood in general. Mr. Hesch responded that staff is oblivious to what is going on in the neighborhood. **Mr. Halpin** responded by stating that they (the BZA) are not here to control or discuss properties not in consideration for the hearing and the issues that were brought up need to be addressed by the police department.

**Mr. Nye** asked Mr. Hesch to remind him of his address and Mr. Hesch responded with 1088 Alnetta Ln.

**Mr. Cavallaro** stated that it is important to speak about the topic that is 1146 Alnetta Rd.

**Mr. Hesch** stated that the BZA does control zoning and that they should not allow short-term rentals in Anderson Township unless it is long-term.

**Ms. Nancy Borak, property owner, 1177 Joetta Dr.** has stated that she has lived there since 1989 and has always felt very safe living in the neighborhood. **Mr. Sian** asked if Ms. Borak was sworn in.

**Ms. Borak was sworn in by Mr. Sian**

**Ms. Borak** asked for a definition of what is a short-term rental. Mr. Sian responded that it involves a rental of no more than 30 days at a time. Ms. Borak stated she is worried that having short-term rental properties in the area will dramatically change the neighborhood.

**Ms. Constance Rosenfeldt, property owner, 1160 Alnetta Ln.** stated parking is a nightmare and is usually very busy throughout the day. Mr. Rosenfeldt ask if there is a plan to keep the vehicles off the street? Ms. Rosenfeldt also stated that she is concerned about converting the basement into a third bedroom.

**Ms. Rosenfeldt** asked if the building code will allow for a third bedroom in 1146 Alnetta. She asked what the appeal is of living on Alnetta. She is concerned about one or two day rentals.

**Ms. Bonnie Chandler, property owner, 1112 Alnetta Dr.** asked who oversees approving the rentals online. Mr. Nye asked if she could explain her concern in a bit more detail. Ms. Chandler asked if there is information available to make a contact with a complaint if she sees the need to contact someone.

**Ms. Chandler** stated she has stayed in AirBNBs and has loved them but does not like the thought of having them in suburban neighborhoods such as hers.

**Ms. Lucinda Hesch, property owner, 1088 Alnetta Dr.** stated that she is concerned because this is a family neighborhood with families and kids running around all of the time.

**Mr. Steve Holder, property owner, 1121 Joetta Dr.** stated that with long-term rental, while not ideal, it is better than a short-term rental. He is concerned about short-term rentals moving into the neighborhood. Asked if the police reports have been checked on the other short-term rentals.

**Mr. Halpin** asked if Mr. Holder has ever stayed in an AirBNB (short-term rental). Mr. Holder replied that he has not but has read a lot of articles that states all of the negative aspects of owning a short-term rental.

**Ms. Leslie Holder, property owner, 1121 Joetta Dr.** is concerned that this is an old neighborhood and with older residents. She stated that she is also concerned for safety throughout the neighborhood when transient people move through and stay at short-term rentals.

**Ms. Shaefer** stated that she knows parking is an issue. Having cameras will allow them to see what is happening on the outside of the house. These types of listings are based off a rating, both renters and property owners. Ms. Shaefer stated that she is very concerned with the safety of the neighborhood and would want anyone to immediately contact her, or her property manager with an issue that is happening to the property.

**Mr. Nye** stated if the parking situation is violated, she is aware that the rental agreement and potentially with a violation of any kind, she could lose the allowance to obtain an SRT from Anderson Township.

**Mr. Halpin** asked if this is the only rental property she owns. Ms. Shaefer answered yes.

**Mr. Sian** asked if there was going to be a third bedroom planned. Ms. Schaefer responded that they would like to first finish the basement, but eventually would like to add a third bedroom. Mr. Sian then mentioned to Ms. Schaefer that they mentioned of providing a letter to local neighbors and asked what she considered local. Ms. Schaefer replied that distributing the letter was done through staff for the official notices. **Mr. Springsteen** replied that through the Ohio Revised Code, any property within 200' is required to receive notice.

**Ms. Rosenfeldt** asked if in rentals, are smoke alarms and carbon monoxide alarms required to be hard-wired and what is required in this instance. **Mr. Nye** stated that his understanding all properties have the same regulations.

**Mr. Hesch** asked about building code and which standards need to be considered and if they are different from a hotel. **Mr. Nye** replied that he isn't a building inspector, but from his understanding, the requirements for 1146 Alentta Dr. would be the same for neighboring properties. **Mr. Hesch** then asked if he would be allowed to move his business from an office to his home. **Mr. Nye** replied that the meeting is about addressing an application for a short-term rental at 1146 Alentta Dr.

**Mr. Holder** asked if the rental agreement is violated how long do they have to.

**Mr. Nye** motioned to close public testimony. The public testimony was not closed.

**Ms. Rosenfeldt** asked if there have been any feasibility studies in Anderson Township on short-term rentals. **Mr. Nye** replied that was something he would like to discuss during the Board's deliberations that take place after public testimony.

**Mr. Halpin** stated that the Board of Zoning Appeals is not a governing body and that would be something that would need to be handled by the Trustees and that the Board of Zoning Appeals only makes small decisions based on the property as it relates to the Zoning Resolution. **Ms. Rosenfeldt** asked what can be done if this property falls into violation. **Mr. Halpin** answered that she will need to speak to the Township Trustees.

**Mr. Nye** motioned to close public testimony. **Mr. Halpin** seconded. Public testimony was closed by unanimous decision.

**The public hearing was closed at 6:18 PM.**

#### **Deliberation of Case 16-2023 BZA**

The Board discussed a conditional use request for a Short-Term Rental (STR) Facility at the premises designated as 1146 Alnetta Drive (Book 500, Page 270, Parcel 29), per Article 5.4, I, 15 of the Anderson Township Zoning Resolution

**Mr. Nye** motioned to grant a variance and a conditional use request for a Short-Term Rental (STR) Facility at the premises designated as 1146 Alnetta Drive (Book 500, Page 270, Parcel 29), per Article 5.4, I, 15 of the Anderson Township Zoning. **Mr. Halpin** Seconded.

**Vote: 4 Yeas**

#### **Decision and Journalization of Case 16-2023 BZA**

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**Mr. Nye** moved, and **Mr. Halpin** seconded to approve the variance request in Case 16-2023 BZA with conditions.

**Vote:**            **4 Yeas**

#### Discussion Items

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

The next meeting is scheduled for Thursday, August 3, 2023, at 5:30 p.m. at the Anderson Center.

The meeting was adjourned at **6:34 PM**.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Sian', written in a cursive style.

Paul Sian, Acting Chair





