



ANDERSON TOWNSHIP PLANNING AND ZONING - STAFF REPORT
CASE NUMBER 17-2026 BZA
7877 STATE ROAD
FOR CONSIDERATION BY THE BOARD OF ZONING APPEALS ON SEPTEMBER 3, 2026.

APPLICANT: Richard K Waller, property owner.

LOCATION & ZONING: 7877 State Road – Book 500, Page 213, Parcel 310
“B” 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>	0.762 Acres
<i>Frontage:</i>	Approximately 104’ on State Road
<i>Topography:</i>	Gentle slope down from State Road to rear of property
<i>Existing Use:</i>	Single Family Residence

SURROUNDING CONDITIONS:	<u>ZONE</u>	<u>LAND USE</u>
	<i>North:</i> “B” Residence	Single Family Residence
	<i>South:</i> “B” Residence	Single Family Residence
	<i>East:</i> “B” Residence	Single Family Residence
	<i>West:</i> “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 1957. A zoning certificate was issued in May of 1990 for two additions and the deck in the rear yard. A zoning certificate was issued in September of 1990 for an addition in the front yard. A zoning certificate was issued through Case 30-2006 BZA for two additions in the front and side yard with a side yard setback of 4.5’ and permitting a 4’ high, solid fence in the front and side yard areas. The current property owner purchased the property in June of 2024.

Additionally, a short-term rental was approved at 7856 State Road through Case 26-2025 BZA on 12/4/2025. The Board also approved an agricultural structure with a side yard setback of 8’ at 7867 State Road through Case 17-2024 BZA on 7/11/2024.

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 will not have an adverse impact on adjacent properties. The use will be consistent with a single-family dwelling. The property owners state there will be policies addressing parking, occupancy limits, quiet hours, property maintenance, and guest conduct.

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 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. **The applicant has stated that guests are required to park on 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 house rules include a limit of eight guests, no parties/events, quiet hours from 10pm to 8am, no amplified outdoor music, proper disposal of waste, and acknowledgement of rules by guests before check-in. The home will be professionally cleaned and inspected between stays and regular maintenance will continue at the property. Active monitoring of the property is not mentioned in the application.***

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

*s. All exterior lighting shall be directed away from adjacent residential properties. **The applicant has stated there will be no changes to the existing lighting, none of which are directed at adjacent 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. The applicant states that the owners or a local contact will be available by phone, text message, and email. Complaints from neighbors or the Township will be acknowledged promptly and investigated. Violations will be responded to immediately with severe or repeat violations resulting in removal from the property. Emergency contact information will be posted in the home. The applicants did not specify how neighbors will be informed of the owner's contact information to report concerns.

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

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

- (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.

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.

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 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.