

**ANDERSON TOWNSHIP BOARD OF ZONING APPEALS  
MARCH 2, 2023**

The Anderson Township Board of Zoning Appeals held a regular meeting, duly called, on March 2, 2023, at 5:30 p.m. at the Anderson Center. Present were the following members:

**Steve Haber, Paul Sian, Jeff Nye, John Halpin, and Paul Sheckels**

Also, present when the meeting was called to order Chris Cavallaro, Planner I, Sarah Donovan, Assistant Director of Planning and Zoning, and Ashley Reynolds, CO-OP. 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. Haber: 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. Haber.

**Approval of Agenda**

The Agenda for March 2, 2023, was approved by unanimous consent with no objections from the Board.

**Approval of Minutes**

The Minutes for February 2, 2023, were approved, Mr. Sian moved to approve, and Mr. Halpin seconded the motion.

Vote: 3 Yeas, 2 Abstain—Mr. Nye and Mr. Sheckels

**Consideration of Case 8-2023 BZA**

Ms. Reynolds gave a summary of the staff report for Case 8-2023 BZA.

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

Mr. Gary Wilson, 1169 Markley Road, stated that he grew up out in the country and has two kids, and would like to start doing more things with them, including getting a boat. This would be the location to store all the miscellaneous items and clean up the yard.

Mr. Nye asked if it would be 16' to the top, Mr. Wilson replied yes. Mr. Nye asked how tall the doors are, Mr. Wilson replied 9' tall.

Mr. Sian asked if he will be installing it himself, Mr. Wilson replied no.

Mr. Haber asked if the drawing on the bottom is half of the building, Mr. Wilson replied that is correct.

Brian Huelsman, 1175 Markley Rd, stated that they believe the garage project will devalue their property based on the owner working on vehicles and projects at late hours. They believe that noise will increase if he has a garage. He stated that once the owner works on vehicles, he puts them in the front yard for sale. He stated that zoning does not allow that, yet he does it

anyways. He stated that this garage is twice the size permitted and is over half the size of his backyard. He stated the garage would be closest to their property line.

**Mr. Nye** stated that often these cases come up where the garages are bigger than permitted and what the Board must look at is the fact that he could put two up that equal the same size, and if he has to put two garages, would that be better or worse. **Mr. Huelsman** replied that he would rather not have two garages. He stated that his house has the same layout as **Mr. Wilson** and when he moved in, he cleared out the house and there is a garage under the house. He stated there is plenty of blacktop area in order to park cars. **Mr. Huelsman** added that either situation will devalue his property because it is slowly looking less and less residential. He added that the house with the detached garage at the corner of Markley and Dunn does not have an under-the-house garage and that's why he has the detached garage. Whereas **Mr. Wilson** does, and this garage is not a necessity.

**Mr. Wilson** stated that he has been in this house for 7 years and had a truck for sale in the front yard one time. He stated he is not buying and fixing up cars to resell them. He noted that his truck will not fit in the garage under the house.

**Mr. Sian** asked if the garage under the house is being used as a garage. **Mr. Wilson** replied, no, it's storage.

**Mr. Nye** asked if he is planning to add landscaping or to fix the fence. **Mr. Wilson** replied that he put up the temporary fencing because the privacy fence was removed, and his dog got loose. He noted he would like to use the space between the structure and the deck as a sitting area and would like to put bushes between the structure and the fence.

**Mr. Nye** asked if there is a plan to put the fence back up. **Mr. Wilson** replied that he would love for the fence to go back up but that he has not been able to come to a solution with his neighbor. He stated that if they cannot come to an agreement, he will come back to zoning in order for him to put it up himself.

**Mr. Huelsman** stated that they are having a property disagreement about the location of the fence and property line.

**Mr. Haber** moved to close the public hearing with unanimous consent with no objections from the Board.

**The public hearing was closed at 5:57 PM.**

#### **Deliberation of Case 8-2023 BZA**

The Board discussed the variance request to allow a 28' x 32' accessory structure (896 sq.ft.), detached garage, where a maximum of 450 sq.ft. is permitted, per Article 5.2, A, 7 of the Anderson Township Zoning Resolution.

Vote:           5 Yeas  
                  0 Nays

**Mr. Nye** Motioned to grant a 28' x 32' accessory structure with the condition that it be consistent with 2/9/2023 plans, with construction started in a year and completed within two years.

**Mr. Sian** Seconded

**Decision and Journalization of Case 8-2023 BZA**

**Mr. Nye** moved, and **Mr. Sian** seconded to approve the variance request in Case 8-2023 BZA with conditions.

Vote:           5 Yeas  
                  0 Nays

**Mr. Haber** moved to adjourn with unanimous consent and with no objections from the Board.

The next meeting is scheduled for Thursday, April 6, 2023, at 5:30 p.m. at the Anderson Center.

The meeting was adjourned at 6:07 pm.

Respectfully submitted,



Steve Haber, Chair

