

**ANDERSON TOWNSHIP BOARD OF ZONING APPEALS  
MAY 2, 2024**

The Anderson Township Board of Zoning Appeals held a regular meeting, duly called, on May 2, 2024, at 5:30 p.m. at the Anderson Center. Present were the following members:

**Paul Sian, John Halpin, Paul Sheckels, and Scott Lawrence**

Also, present when the meeting was called to order Sarah Donovan, Assistant Director of Planning and Zoning 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**

**Mr. Halpin moved, Mr. Lawrence seconded to approve the Agenda for May 2, 2024 was approved by the Board with unanimous consent.**

**Approval of Minutes**

**Mr. Halpin moved, Mr. Lawrence seconded to approve the minutes for the April 4, 2024 Board of Zoning Appeals meeting.**

Vote: 4 Yeas

**Consideration of Case 9-2024 BZA**

**Mr. Springsteen** gave a summary of the staff report for Case 9-2024 BZA.

**The Board did not have any questions for staff.**

**Brian Tome, property owner of 7150 Ragland Road #15** stated that he agreed with the staff report presented by **Mr. Springsteen** and that he learned a lot regarding his property.

**The Board did not have any questions for Mr. Tome and there was no one present to testify in favor or opposition of the case.**

**Mr. Halpin** moved to close the public hearing. **Mr. Lawrence** seconded the motion.

The public hearing was closed at 5:39 PM.

**Deliberation of Case 4-2024 BZA**

The Board discussed a conditional use request for an Accessory Apartment expansion at the premises designated as 7150 Ragland Rd #15, per Article 5.4, I, 1 of the Anderson Township Zoning Resolution.

**Mr. Sheckels** motioned to grant a conditional use request for an accessory apartment at the premises designated as 7150 Ragland Rd #15, per Article 5.4, I, 1 of the Anderson Township Zoning Resolution, with conditions. **Mr. Halpin** seconded.

Vote: 4 Yeas

#### **Consideration of Case 10-2024 BZA**

**Mr. Springsteen** gave a summary of the staff report for Case 10-2024 BZA.

**Mike Smith, 8249 Clough Pike, of the Anderson Park District** stated that this is part of their campaign project that the Park District went out for a levy for last November. He stated that with the current available parking people have to park at the school if there are events going on at Veterans Park and with the loop being paved, it will now be further support visitors who are in wheelchairs.

**The Board did not have any questions for Mr. Smith and there was no one present to testify in favor or opposition of the case.**

**Mr. Halpin** moved to close the public hearing. **Mr. Lawrence** seconded the motion.

The public hearing was closed at 5:48 PM.

#### **Deliberation of Case 10-2024 BZA**

The Board discussed a conditional use request for the expansion of existing walking trails and parking lot, at the premises designated as 8531 Forest Rd., per Article 5.4, I, 14, a, of the Anderson Township Zoning Resolution.

**Mr. Sheckles** motioned to grant a conditional use request for the expansion of existing walking trails and parking lot, at the premises designated as 8531 Forest Road, per Article 5.4, I, 14, a of the Anderson Township Zoning Resolution, with conditions. **Mr. Halpin** seconded.

Vote: 4 Yeas

#### **Consideration of Case 11-2024 BZA**

**Mr. Springsteen** gave a summary of the staff report for Case 11-2024 BZA.

**The board did not have any questions for staff.**

**Cecilia Cook and Frank Schreier, property owner of 1938 Wanninger Lane** stated that the survey has been done and that the stakes are in the yard. Ms. Cook stated that she has had a number of injuries and that is why they are looking to renovate their property.

**The Board did not have any questions for the property owners and there was no one present to testify in favor or opposition of the case.**

**Mr. Halpin** moved to close the public hearing. **Mr. Lawrence** seconded the motion.

The public hearing was closed at 5:55 PM.

#### **Deliberation of Case 11-2024 BZA**

The Board discussed a variance request for an addition with a proposed front yard setback of 28', where 35' is required per Article 3.4, C, 2, a of the Anderson Township Zoning Resolution.

**Mr. Sheckles** motioned to grant a variance request for an addition with a front yard setback of 28', where 35' is required per Article 3.4, C, 2, a of the Anderson Township Zoning Resolution, with conditions, **Mr. Halpin** seconded.

Vote: 4 Yeas

#### **Consideration of Case 12-2024 BZA**

**Mr. Springsteen** gave a summary of the staff report for Case 12-2024 BZA.

**The Board stated that they didn't have any questions for staff.**

**Jessica Christin, property owners of 2025 Endovalley Drive** apologized for installing the boards without checking with zoning. She stated that they were just adding boards and didn't think that they were doing anything out of compliance. She stated that they added the boards because they are having issues with the rental neighboring properties and their dogs. She stated that their dogs have been attacked and that it was not for privacy purposes, but for safety. She stated that since its been done, that the situation has been dramatically better. She stated that the fence since over 50' on both Endovalley and Ashgrove. She stated that there will be landscaping in front of it, as well as they are planning to stain it.

**Mr. Sheckles** asked if animal control has been called in for the dogs. **Mrs. Christin** replied that she knows of at least one time.

**Rosemary Hain, 2040 Endovalley,** stated that she has lived at their property since 1995 and that this family at 2025 Endovalley has the most attractive lot in the area. She stated that the house next door to this property owner has been nothing but disrespectful to the Christin family, including almost chopping down a tree dedicated to her grandmother. She stated that the renters have aggressive dogs and it is a well-known situation in their neighborhood. She stated that she is aware that there are rules, but that this variance will not alter the essential character of their neighborhood.

**Mr. Sheckles** asked if the rental properties she was referring to are short term rentals. **Mrs. Hain** replied no, they are long term.

**Ashley Webber, 8215 Ashgrove**, stated that she is in support as one of the most impacted neighbors. She stated that she has two young children and has had run ins with the aggressive dogs as well. She stated that her kids are much more comfortable and want to spend time outside now that the privacy sections of the fence are up. She stated that the Christins have immaculate landscaping and that she has zero doubt that they will maintain the fence. She stated that this fence is making the neighborhood much safer.

**Maureen Firestone, 2102 Endovalley**, stated that she walks and drives by this house on a daily basis and thinks this fence fits in perfectly with the neighborhood character. She asked why the regulation is written as it is.

**Joanne Van Vactor, 2086 Endovalley**, stated that she is here to lend her support, as a longstanding resident in this neighborhood. She stated that the fence does not modify the character of their neighborhood.

**Alyssa Stickley, 2020 Endovalley**, stated that she lives across the street from the resident and stated that the fence looks great, as well as their yard. She stated that the property owner is constantly working on her yard and making enhancements. She stated that person who complained lives next door to her and does not speak for everyone else in the audience here today.

**Mr. Halpin** moved to close the public hearing. **Mr. Lawrence** seconded the motion.

The public hearing was closed at 6:24 PM.

#### **Deliberation of Case 12-2024 BZA**

The Board discussed a variance request to allow a 4' high privacy fence in the side and front yard, where only permitted in the rear yard, at the premises designated as 2025 Endovalley Drive, per Article 5.2, A, 9 of the Anderson Township Zoning Resolution.

**Mr. Halpin** motioned to grant a variance for a 4' high privacy style fence in the front and side yard area at the premises designated as 2025 Endovalley Drive, per Article 5.2, A, 9 of the Anderson Township Zoning Resolution, with the condition that they install landscaping that obscures from street view **Mr. Lawrence** seconded.

Vote: 3 Yeas, 1 No- **Mr. Sheckles**

#### **Consideration of Case 13-2024 BZA**

**Mr. Springsteen** gave a summary of the staff report for Case 13-2024 BZA.

**The Board did not have any questions for staff.**

**Steve and Jovi Self, property owners of 7080 Hunley Rd** stated that this is really only the spot where it fits, and unfortunately they purchased the property with it there.

**Mr. Lawrence** asked if they own the lot to the right. **Mrs. Self** replied that yes, they own 7082 Hunley.

**There was no one present to testify in favor or in opposition of the case.**

**Mr. Sheckles** moved to close the public hearing. **Mr. Halpin** seconded the motion.

The public hearing was closed at 6:38 PM.

#### **Deliberation of Case 13-2024 BZA**

The Board discussed a variance request for an accessory structure to be located in the side yard, located at the property of at the premises designated as 7583 Ayers Rd, per Article 3.1, D, 2, a, i of the Anderson Township Zoning Resolution.

**Mr. Sheckels** motioned to grant a variance request for an accessory structure located in the side, at the property of 7080 Hunley Rd, per Article 5.2, A, 7 of the Anderson Township Zoning Resolution with conditions. **Mr. Halpin** seconded.

Vote: 4 Yeas

#### **Decision and Journalization of Case 9-2024 BZA**

**Mr. Halpin** motioned to approve and journalize a conditional use request for an accessory apartment expansion at the premises designated as 7150 Ragland Road #15, per Article 5.4, I, 1 of the Anderson Township Zoning Resolution with conditions. **Mr. Lawrence** seconded.

Vote: 4 Yeas

#### **Decision and Journalization of Case 10-2024 BZA**

**Mr. Halpin** motioned to approve and journalize a conditional use request for the expansion of existing walking trails and parking lot, at the premises designated as 8531 Forest Road, per Article 5.4, I, 14, of the Anderson Township Zoning Resolution, with conditions. **Mr. Lawrence** seconded.

Vote: 4 Yeas

#### **Decision and Journalization of Case 11-2024 BZA**

**Mr. Halpin** motioned to approve and journalize a variance request for an addition with a front yard setback of 28', where 35' is required, at the premises designated as 1938 Wanninger Lane per Article 3.4, C, 2, a of the Anderson Township Zoning Resolution, with conditions. **Mr. Lawrence** seconded.

Vote: 4 Yeas

**Decision and Journalization of Case 12-2024 BZA**

**Mr. Halpin** motioned to approve and journalize a variance request to allow a 4' high privacy fence in the side and front yards, at the premises designated as 2025 Endovalley Drive, per Article 5.2, A, 9 of the Anderson Township Zoning Resolution with conditions, **Mr. Lawrence** seconded.

Vote: 4 Yeas

**Decision and Journalization of Case 13-2024 BZA**

**Mr. Halpin** motioned to grant a variance request to allow an accessory structure in the side yard, at the premises designated as 7080 Hunley Road, per Article 5.2, A, 7 of the Anderson Township Zoning Resolution, with conditions. **Mr. Lawrence** seconded.

Vote: 4 Yeas

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

The next meeting is scheduled for Thursday, June 6, 2024, at 5:30 p.m. at the Anderson Center.

The meeting was adjourned at **7:06 pm**.

Respectfully submitted,



Paul Sian, Chair

