

**ANDERSON TOWNSHIP BOARD OF ZONING APPEALS
SEPTEMBER 4, 2025**

The Anderson Township Board of Zoning Appeals held a regular meeting, duly called, on September 4, 2025, at 5:30 p.m. at the Anderson Center. Present were the following members:

Scott Lawrence, Jeff Nye, Paul Sheckels, John Halpin, and Paul Sian

Also, present when the meeting was called to order, Eli Davies, Planner I, Stephen Springsteen, Planner I, and Logan Vaughn, 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. Lawrence**: 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. Lawrence**.

Approval of Agenda

Mr. Nye moved, Mr. Sian seconded to approve the Agenda for September 4, 2025, which was approved by the Board with unanimous consent.

Approval of Minutes

Mr. Nye moved, Mr. Sian seconded to approve the minutes for the August 7, 2025, Board of Zoning Appeals meeting.

Vote: 5 Yeas

Continuation of Case 21-2025 BZA

Mr. Springsteen gave a summary of the staff report for Case 21-2025 BZA.

Mr. Rob Caffaro, 8002 Meadowcreek Dr, applicant and owner of 7321 Clough Pike LLC, spoke in support of his application. He asked the Board if they would like to save money when doing a project, and that he is asking the Board for the ability to save money. He stated that the proposed plan would allow him to begin construction on the garage while having a tenant in the existing house and is the most cost-effective way to get the project done. He spoke about having multiple options to accomplish his goals for the site. First, he asks why he can put a house in the location, but he cannot put a similarly sized garage in the location. He suggests that he could move the property lines around which both he and the neighbors would not want, and which would cost more money, but it could be done without the Board’s approval if the garage became a residence on its own parcel. **Mr. Halpin** added that **Mr. Caffaro** would need a roof. **Mr. Caffaro** agreed. He reiterates that his point is that he is asking to be able to achieve the project in the most cost-effective way possible. The other option which is more realistic would be to add a breezeway between the garage and house to create one compliant house, and he estimated the cost to be an additional \$40,000. He emphasized that the project would continue whether the board approves it or not, but he is begging and pleading with the Board to allow him to complete the project in the most cost-effective manner so he can avoid adding a breezeway and have a better construction timeline. He estimated that the whole project will

cost approximately \$75,000 to \$100,000. He guessed that everyone in the room would prefer to save money. He responded to concerns about privacy, stating that there will be more than enough landscaping. He again emphasized that there are multiple avenues by which he could build a structure which meets his needs, but he is trying to play nice by seeking variances from the Board. He also reminded the Board that two of his neighbors who attended the previous meeting are in favor of his proposal. He further suggested that those neighbors were interested in gaining access to sewer which they can only do through his property. He further stated that if for some reason the project falls through, he will just put a bunch of houses on the lots which he says no one would prefer. He emphasized again that he is asking to be able to complete the project in the most cost-effective way.

Mr. Halpin asked whether the original house would be torn down once the new house is built. **Mr. Caffaro** confirmed that it would be torn down. **Mr. Halpin** asked whether the area would become greenspace. **Mr. Caffaro** replied that from the fence north of the existing house to the gravel lot south of Clough will be where the proposed garage and house, and maybe a swimming pool will be located, avoiding an existing culvert. The existing house will be torn down and used as a pasture for a horse which will be housed in the existing barn.

Mr. Guy Wolf, 6001 Stirrup Rd, asked the board to deny the variance requests for two reasons which are that it directly contradicts the Township's zoning code, and it sets a troubling precedent. First, the zoning restrictions were clear at the time of purchase, and the property owner purchased the property with knowledge of the zoning restrictions. A change in the owner's vision after the fact does not warrant an exception. If a family outgrows their home the solution is not to build in violation of the zoning code, it's to find a house that meets their needs. Second, personal urgency is not a zoning hardship. The property owner's personal urgency is not the township's concern. Zoning exists to protect the character and consistency of the neighborhood, not to accommodate individual project sequencing. Third, this variance would materially alter neighborhood character. Even if no neighbors appear tonight, the board has a responsibility to uphold the zoning code on behalf of all residents. The staff report rightly notes that placing a large garage in front of a home will significantly change the character of the neighborhood. Fourth, future use and enforcement are unpredictable. Fifth, there is no practical difficulty or unique hardship. Sixth, this approval would set a dangerous precedent and invite future applications. In conclusion, I appreciate that this property owner is respectful of the Township's zoning and I'm sure he can find a solution which complies with the zoning code. Granting the variance rewards convenience and preference over community standards.

Mr. Caffaro responded, stating that in his opinion, his property is one of the most unique pieces of property in Anderson Township. Most people he's talked to have no idea the property was there, which shows how protected it is by the natural greenery. You can hardly see it in the wintertime. He also stated that the property is not in a neighborhood setting. He again emphasized that he is begging and pleading that the Board allow him to proceed with the project in the most cost-effective manner.

Mr. Nye asked Mr. Caffaro if he would have any issue with the Board adding conditions increasing the amount of landscaping. **Mr. Caffaro** replied confirmed that he would not have an issue and he plans to put evergreen trees like Arborvitae around the garage. He will replace

trees that need to be removed during construction with new evergreen trees. He also stated that the property is hardly visible from Clough Pike.

Mr. Sheckels asked what the height of the garage would be. **Mr. Caffaro** replied that it would be about 22' and elaborated that the height is high enough for him to work on larger vehicles in the garage.

Mr. Jeff Rosa, 6284 Turpin Hills Dr, on behalf of the property owner, spoke regarding the previous mention of precedent, saying that the property in question was previously granted a variance for a pool, but that did not cause everyone to ask for pools in their front yard. Each property and case is unique.

Ms. Veronica Haar, 7281 Clough Pike, spoke in opposition to the variance request, stating that she lives on the opposite side of the creek from the property in question. She bought her home to be a forever home for her family and has enjoyed returning home and enjoying the nature after stressful days. She stated she studied forestry and fish and wildlife, and she observed over 110 different species of wildlife including protected animals under the Migratory Bird Act. There have been at least 82 species of birds in the area including six birds of prey which have nested and hunted there. Nesting birds of prey are protected under the Migratory Bird Act. The pine trees in the pasture have had nesting birds in four out of the last five years. Those birds are also protected under the Act. If you're changing the structure of the property, you're changing ecosystem they live in. It is recommended that there is around 80'-100' of coverage around waterways before the grass, and a row of arborvitae isn't sufficient. She states that most importantly she does not want to look out her back window and see the structure which was not supposed to be there when they moved in. She also does not want six houses back there, which feels like an inappropriate use of leverage. Anderson is unique in that it has so much greenspace, so changing that space will change the greenspace in that area.

Mr. Caffaro responded that he respects the interest in preserving nature. That is the reason he is adding more trees to the property, for nature and privacy, but at the same time the property is progressing. He added that he is trying to build his house into his heaven, and he is sorry it isn't the way his neighbors would prefer, but he is trying to follow the rules by applying for a variance. He is trying to do the best he can for all the neighbors by planting trees.

Mr. Nye moved to close the public hearing. **Mr. Sian** seconded the motion.

The public hearing was closed at **6:07pm**.

Deliberation of Case 21-2025 BZA

The Board discussed a variance request for an accessory structure, size 50' x 100', located in the front yard and larger than the existing primary structure, where accessory structures are required to be in the rear yard and being defined as a subordinate building per Article 5.2, A, 7 and Article 6.1 of the Anderson Township Zoning Resolution.

Mr. Sian motioned to approve a variance request for an accessory structure, size 50' x 100', located in the front yard and larger than the existing primary structure, where accessory

structures are required to be in the rear yard and being defined as a subordinate building per Article 5.2, A, 7 and Article 6.1 of the Anderson Township Zoning Resolution with 6 conditions.
Mr. Scheckels seconded.

Vote: 4 Yeas, 1 Nea

Decision and Journalization of Case 21-2025 BZA

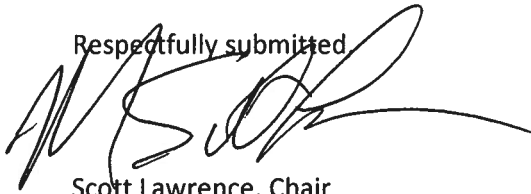
Mr. Sian motioned to approve a variance request for an accessory structure, size 50' x 100', located in the front yard and larger than the existing primary structure, where accessory structures are required to be in the rear yard and being defined as a subordinate building per Article 5.2, A, 7 and Article 6.1 of the Anderson Township Zoning Resolution with 6 conditions.
Mr. Scheckels seconded.

Vote: 4 Yeas, 1 Nea

The next meeting is scheduled for Thursday, October 2, 2025, at 5:30 p.m. at the Anderson Center.

The meeting was adjourned at **6:36pm**

Respectfully submitted

A handwritten signature in black ink, appearing to read 'S. Lawrence', with a long horizontal flourish extending to the right.

Scott Lawrence, Chair

THURSDAY, SEPTEMBER 4, 2025 AT 5:30 P.M.
ANDERSON CENTER, 7850 FIVE MILE ROAD

PLEASE PRINT - THANK YOU

ADDRESS:

[illegible]