



ANDERSON TOWNSHIP PLANNING AND ZONING - STAFF REPORT

CASE NUMBER 18-2026 BZA

2946 TREEKNOLL COURT

FOR CONSIDERATION BY THE BOARD OF ZONING APPEALS ON SEPTEMBER 3, 2026.

|                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                           |                         |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-------------------------|
| APPLICANT:              | Melissa M. Frantz, on behalf of Frantz Melissa M. TR, property owner.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                           |                         |
| LOCATION & ZONING:      | 2946 Treeknoll Ct. – Book 500, Page 300, Parcel 96<br>“A” Residence                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                           |                         |
| REQUEST:                | A variance request for an 18’-4” x 39’-4” addition, with a front yard setback of 33’ where 50’ is required, and a side yard setback of 5’ where 15’ is required per Article 3.3, C, 2, a & b of the Anderson Township Zoning Resolution                                                                                                                                                                                                                                                                                                                      |                                                                           |                         |
| SITE DESCRIPTION:       | Tract Size:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 0.588 Acres                                                               |                         |
|                         | Frontage:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Approximately 147’ on Treeknoll Ct. and 63.64’ on Treeridge Dr.           |                         |
|                         | Topography:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Fairly flat with a downward slope near the Northeast end of the property. |                         |
|                         | Existing Use:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Single Family Residence                                                   |                         |
| SURROUNDING CONDITIONS: |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <u>ZONE</u>                                                               | <u>LAND USE</u>         |
|                         | North:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | “A” Residence                                                             | Single Family Residence |
|                         | South:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | “A” Residence                                                             | Single Family Residence |
|                         | East:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | “A” Residence                                                             | Single Family Residence |
|                         | West:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | “A” Residence                                                             | Single Family Residence |
| PROPOSED DEVELOPMENT:   | The applicant is requesting an 18’-4” x 39’-4” addition, with a front yard setback of 33’ where 50’ is required, and a side yard setback of 5’ where 15’ is required. The proposed layout is motivated by the applicant’s objective to create an ADA-compliant first-floor primary suite designed to allow a family member with declining mobility the ability to remain in the home. The application shows that the proposed addition will have the same character and architectural style as the existing home with white painted brick and black roofing. |                                                                           |                         |
| HISTORY:                | A zoning certificate was issued in 1989 for the construction of the residence. A zoning certificate was issued in 2002 for a rear yard addition. The current property owner purchased the property in 2011.                                                                                                                                                                                                                                                                                                                                                  |                                                                           |                         |
| FINDINGS:               | To authorize a variance after public hearing, the Board of Zoning Appeals shall make the findings that a property owner has encountered practical difficulties in the use of his/her property. The findings shall be based upon the general considerations set forth in Article 2.12, D, 2, b of the Anderson Township Zoning Resolution.                                                                                                                                                                                                                    |                                                                           |                         |
|                         | Staff is of the opinion that the variance may not be substantial. The reduction in the front yard setback from 50’ to 33’ is noticeable, but the curve of the road minimizes the visible impact of the reduction. Likewise, the 5’ side yard setback is mitigated by the six panhandle lots contributing at least 120’ of separation between the addition and the adjacent residence.                                                                                                                                                                        |                                                                           |                         |
|                         | Staff is of the opinion that the essential character of the neighborhood will not be altered. The proposed addition is consistent with the style of the existing home. Due to                                                                                                                                                                                                                                                                                                                                                                                |                                                                           |                         |

the side yard setback being adjacent to six 20ft wide panhandles, the addition will still be separated from neighboring structures. Additionally, the variety of the front orientations of the neighborhood residences will help to maintain the character of the neighborhood with the adjusted yard setbacks.

The variance would not adversely affect the delivery of governmental services.

Staff is of the opinion that the property owners' predicament may not be feasibly obviated through some other method than a variance. The applicant stated the construction would minimize disruption to the existing home, providing the most practical location for this addition, allowing for minimal rework to the existing residence. Moving the proposed addition would require more modification and would not provide the same amount of accessibility.

Staff is of the opinion that the spirit and intent behind the zoning requirement would be observed by granting the variance. Although the proposed addition will have a 33' front yard setback, where 50' is required and a 5' side yard setback, where 15' is required, the adjoining residence would still be located approximately 129' away from the neighboring property structure to the right, as well as adjacent right panhandles, maintaining the intended separation between structures. The proposed addition will match the existing property's architecture, material, and variety of front orientation within the neighborhood, not altering the established character.

**STANDARDS TO BE  
CONSIDERED:**

The aforementioned variance request should be evaluated on the following criteria:

- (1) The property in question will yield a reasonable return and there can be beneficial use of the property without the variance;
- (2) The variance is not substantial;
- (3) The essential character of the neighborhood would not be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;
- (4) The variance would not adversely affect the delivery of governmental services (i.e. water, sewer, garbage);
- (5) The property owner purchased the property with knowledge of the zoning restrictions;
- (6) The property owner's predicament can be feasibly obviated through some method other than a variance;
- (7) The spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

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.