

DANVILLE BOARD OF ZONING APPEALS

Meeting Minutes

September 17th, 2025

6:00 PM

Members Present: Kevin Tussey, Tracie Shearer, Tiffany Dalton, Randy Waltz, Jill Howard
Members Absent: None
Staff Present: Lesa Ternet, Barry Lofton, Brittany Mays
Legal: Chou-il Lee - Taft Law
Guests: Michael Chatham, Misty Ellis, Kevin Cominsky, Lucas Callahan, Lauren Gnagy, Craig Callahan

A quorum was established, and the meeting was called to order by K. Tussey. The minutes from August 20th, 2025, were approved. T. Dalton made a motion to approve. R. Waltz seconded the motion. Motion carried 5-0.

Swear in Participants: R. Waltz swore in L. Callahan, C. Callahan, M. Chatham, and M. Ellis.

Old Business:

- A. PUBLIC HEARING: A development standards variance to allow a fence to be located with a drainage and utility easement (UDO Section 4.02.G.2.a. Fence and Wall Locations) in a Planned Unit Development (PUD) zoning district on property located at 1122 Stubble Run**
(Lucas Callahan)

L. Callahan summarized his request to allow his existing fence to remain within the drainage and utility easement as discussed during the August 20th, 2025, meeting. K. Tussey opened the meeting to the public. M. Chatham stated he had standing water on his property due to the homeowners around him either building fences or mini barns within easements, so he does believe this could become an issue in the future. C. Callahan stated he wanted clarification on the wording for a fence permit. He stated he understood the permit said "if" a fence was put in a drainage easement and the Town needed access then the fence would come down at the homeowner's expense, not that the homeowner "could not" put a fence in an easement. L. Ternet clarified that specific wording was under the old ordinance, and L. Callahan had been denied for the fence permit he originally applied for because it was shown within the easement. The meeting was closed to the public. T. Shearer asked if the variance got denied and L. Callahan reapplied for the fence permit and variance in the future, would that be allowed or is it finalized after denial.

C. Lee stated if the determination of the board was that the variance is denied, then that would be the finalization of this variance. J. Howard made a motion to approve with the conditions the petitioner will raise the fence by six inches to facilitate drainage, and that he would also comply with removing the fence at his expense if there was any need for the Town to access the easement. There was no second. Motion died for lack of second. J. Howard made a motion to deny. T. Dalton seconded the motion. Motion carried 5-0.

Roll Call Vote:

R. Waltz – Aye
T. Shearer – Aye
K. Tussey – Aye
J. Howard – Aye
T. Dalton – Aye

New Business:

- A. PUBLIC HEARING: A development standards variance to allow an accessory prior to a principal structure (UDO Section 4.02: Accessory Structure General Standards) in the Residential Urban (RU) zoning district on property located at 74 Morgan Street**
(Misty Ellis & Kevin Cominsky)

M. Ellis presented the request to allow an accessory building prior to a principal structure. M. Ellis stated the garage her and her fiancé want to construct would utilize the existing driveway. M. Ellis stated they wanted to maintain the timeless era of the house, as it was built in 1919. K. Tussey opened the meeting to the public. No public comment. The meeting was closed to the public. T. Shearer made a motion to approve. R. Waltz seconded the motion. Motion carried 5-0.

Roll Call Vote:

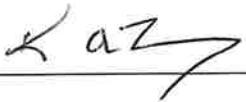
R. Waltz – Aye
T. Shearer – Aye
K. Tussey – Aye
J. Howard – Aye
T. Dalton – Aye

Other Business: None

Report of Officers and Committees: None

With there being no further business before the board, R. Waltz made a motion to adjourn
T. Shearer seconded the motion.

The meeting was adjourned at 6:57 P.M.

A handwritten signature in cursive script, appearing to read "K. Tussey", written over a horizontal line.

Kevin Tussey - President

A handwritten signature in cursive script, appearing to read "Randy Waltz", written over a horizontal line.

Randy Waltz – Vice President