

DANVILLE BOARD OF ZONING APPEALS

Meeting Minutes

December 21st, 2021

7:00 PM

Members Present: Tom Swords, Kevin Tussey, Loris Thompson, Jill Howard, Gary Eakin
Members Absent: None
Staff Present: Lesa Ternet, Mark Morgan & Tasha Hensley
Guests: Patsy Wynn, Mike Mullin, Spencer Guyer, Deni Jacks, Andy Kult

A quorum was established, the meeting was called to order by President Kevin Tussey and minutes from October 19th, 2021, were approved L. Thompson (motion) and G. Eakin (seconded). Motion passed 5-0

Old Business: none

New Business:

- A. Public Hearing: A variance from development standards to allow a rear yard setback of less than twenty-five (25) feet on property located at 101 East Broadway Street.**
(Comer Law Office, LLC)
- B. Public Hearing: A use variance to allow a two-family dwelling in an R2C zoning district on property located at 101 East Broadway Street.**
(Comer Law Office, LLC)

Andy Kult with Comer law displayed presentation showing how the new set back will improve alley access. (G. Eakin left meeting briefly and returned at 7:06pm)

A. Kult stressed the comprehensive plan is not focused on unique situations such as losing a home to a fire. He also stressed that the comprehensive plan is flexible and not something that is set in stone.

Concepts of 2 family homes were shown to give an idea what could be built on the property.

L. Thompson stated that we are here to talk about a multi-family home that burnt down to replace with a home that houses less than before for clarification. He added that D. Wilson builds nice homes.

T.Swords asked staff if there has even been a unique situation like this in the past. L.Ternet responded not that she was aware of.

L. Ternet stated the comprehensive plan is a guide for future growth for the town.

T. Swords stated that the town had many multi family homes due to the college that was here many years ago, and there has been a lot of work put in to change over to more single-family homes. He does agree that D. Wilson builds a good product and will keep the property looking nice.

K. Tussey opened the public hearing. D. Wilson was sworn in by G. Eakin and clarified for guests that in building this new multi-family home his intent was to improve the town. He mentioned that this investment was for his retirement and had no intentions of selling. His plan was to build a 2 family home that would be the same size as the 4 family home that was on the property previously. The public hearing was closed.

J. Howard made a motion to allow the 15.6 foot setback with no conditions. T. Swords seconded the motion.

Roll Call Vote:

T. Swords – Aye
K. Tussey – Aye
L. Thompson – Aye
Jill Howard – Aye
G. Eakin – Aye
Motion passes 5-0

T. Swords made a motion to allow a 2 family dwelling be built in R2C with no conditions. L. Thompson seconded the motion.

Roll Call Vote:

T. Swords – Aye
K. Tussey – Aye
L. Thompson – Aye
Jill Howard – Aye
G. Eakin – Aye
Motion passes 5-0

Other Business: None

There being no further business before the board, K. Tussey made a motion to adjourn L. Thompson seconded.

The meeting was adjourned at 8:35 p.m.



~~Kevin Tussey~~ President (Acting)

Loris L. Thompson



~~Tom Swords~~ - Vice President (Acting)

Gary Eakin