

# RECORD OF PROCEEDINGS

Minutes of

Meeting

## Danbury Township Board of Zoning Appeals

GOVERNMENT FORMS &amp; SUPPLIES 844-224-3338 FORM NO. 10148

Held \_\_\_\_\_

March 18, 2026  
20 \_\_\_\_\_

The Danbury Township Board of Zoning Appeals Meeting was called to order at 6:00 p.m. by Chair, Greg Huffman at the Township Hall. The Pledge of Allegiance was recited.

The roll call showed the following members present: Chair, Greg Huffman, Vice Chair, Joseph Fetzer, Secretary, Joseph Kruse, Member, Sherry Roberts, and Member, Clyde Shetler. Alternates, Julie Cottingham and Jim Switzer were excused. Ms. Kathryn Dale, Zoning & Planning Administrator was also present. Visitors present included Leroy Eberly, Barbara Singer, Eric Neumann, Marcia Asdal and Guy Scafaria.

Ms. Dale read the rules of order for the meeting proceedings. The Chair asked Ms. Dale if all the documents relating to the cases had been received and were in proper order. She indicated that they were. The Chair swore in Ms. Dale.

The Chair introduced the first case of the evening.

**Adjudication Hearing  
Case BZA #2026-029  
9052 Parkview Court  
Eberly**

**Request for an Area Variance to Section 3.5 to allow for a front porch addition to encroach into the front-yard setback (25' required/ 20' proposed).**

The Chair asked if there were any Board Members who would have a conflict and wished to abstain from this hearing. There were none. Ms. Robert moved, and Mr. Kruse seconded the motion to open the public hearing. All were in favor and the motion carried.

Ms. Dale stated the property is part of the Rockport Subdivision platted in 1994 and is not subject to reduced setbacks since it was platted after 1975. The applicant is proposing to remove an existing 8' x 12' covered front porch and construct a 12' x 20' enclosed front porch addition that will encroach into the front yard. The proposed porch overhang will be 20' from the north, front property line where 25' is required. Ms. Dale concluded by review the decision standards the Board would be considering.

The Chair asked if there were any questions for Ms. Dale. There were none.

The Chair called upon the applicant to come forward and be sworn in.

**Leroy Eberly, 9052 E. Parkview Court, Marblehead**, came forward and was sworn in. Mr. Eberly reviewed the paperwork and stated it was as he had submitted.

Mr. Eberly said Ms. Dale covered pretty much everything he was going to say. He believes the variance request is small because there will still be 36' between the street and the front of this porch, 35' if you count the overhang. He thinks this is still a fair setback. The new porch is going to look just like the old porch, with the same pitch and roofline. It's just going to be expanded out slightly, but still in keeping with the other houses in the neighborhood. Mr. Eberly said he has discussed his plans with all of his neighbors and none of them expressed objections or concern to him or proceeding with the porch addition. He said if this is approved, it will make his wife happy.

The Chair asked if there were any questions for Mr. Eberly. There were none.

The Chair called upon those present on the sign-in sheet.

**Barbara Singer, 9038 Parkview Court, Marblehead**, came forward and was sworn in. Ms. Singer said she is the adjacent neighbor to the west. She thinks the porch design is lovely. She said this porch will be closer to her property than the existing porch, but she has no objections to it.

The Chair asked if there were any questions for Ms. Singer. There were none.

**Eric Neumann, 9066 Parkview Court, Marblehead** was called upon but stated he did not wish to speak.

**Marcia Asdal, 279 Lighthouse Oval, Marblehead**, was called upon but stated she did not wish to speak.

**Guy Scafaria, 9075 Parkview Court, Marblehead**, came forward and was sworn in. Mr. Scafaria said he is across the street from this request, and he is a Trustee of their HOA. He said the HOA approved the request including an internal variance and were in support of this project. The Chair asked if there were any questions for Mr. Scafaria. There were none.

The Chair asked Mr. Eberly if he wishes to rebut any testimony given. He indicated he did not.

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Mr. Kruse made a motion to close the public comment segment of the hearing, seconded by Mr. Shetler. All were in favor and the motion carried.

Mr. Fetzer motioned to recess into the executive session to deliberate the merits of the case. Mr. Kruse seconded the motion, and the roll call vote was as follows: Mr. Shetler – yes; Ms. Roberts – yes; Mr. Kruse – yes; Mr. Fetzer – yes; Mr. Huffman – yes. The motion carried and the Board recessed at 6:14 p.m.

Mr. Shetler moved, and Ms. Roberts seconded the motion to reconvene. The roll call vote was as follows: Mr. Shetler – yes; Ms. Roberts – yes; Mr. Kruse – yes; Mr. Fetzer – yes; Mr. Huffman – yes. The Board reconvened at 6:22 p.m.

The Chair asked Ms. Dale to read the Findings of Fact for BZA Case #2026-029:

### BZA MOTION & FINDINGS OF FACT

**With regard to BZA-2026-029 being a request for an Area Variance from Section 3.5 to allow for a front porch addition to encroach into the front-yard setback (25' required/ 20' proposed) for the property located 9052 Parkview Court:**

1. The property in question **will** yield a reasonable return and **can** be used beneficially without the variance because the property can continue to be used for a single-family residence and is permitted to have a front porch.
2. The request **is not** substantial because 50s.f. of the 240s.f. porch addition is all that will encroach into the setback. Additionally, a 20' setback will still be retained and there is an additional 16' of road right-of-way that is grassy before getting to the street.
3. The essential character of the neighborhood **would not** be substantially altered by the variance and adjoining properties **would not** suffer a substantial detriment as a result of the variance because there are other porches on the front of the homes in the neighborhood.
4. There is **no** indication the variance would adversely affect the delivery of governmental services (i.e. water, sewer, garbage, etc.) because all utilities exist, and any utility extensions or upgrades will require approval from the appropriate County agencies.
5. The applicant stated in their narrative statement that they were not aware of the zoning restrictions at the time they purchased in 2022 because they were not aware the lot was not square.
6. The property owner's predicament **can** feasibly be obviated through some method other than a variance because this is new construction, it could be built to meet the requirements.
7. The spirit and intent behind the zoning requirement **would** observed and substantial justice done by granting the variance because there are no known negative impacts to the surrounding properties.

Mr. Fetzer moved that the Board adopts and makes the findings of fact as read by the recording secretary and that after considering and weighing these factors, the Board finds that Decision Standards(s) (2) (3) (7) weigh more heavily to show that:

- a. Practical difficulty **is** sufficient to warrant granting the Variance requested.
- b. There **is** a preponderance of reliable, probative and substantial testimony; and
- c. There is evidence that **does** support the applicants request for a variance.

Therefore, the Variance should be accordingly **APPROVED**.

Motion Seconded by: Mr. Shetler. Roll Call Vote was as follows: Mr. Shetler – yes; Ms. Roberts – yes; Mr. Kruse – yes; Mr. Fetzer – yes; Mr. Huffman – yes. Vote 5-0 the motion carried.

The Chair stated that the application has been Approved and permits could be obtained following the signing of the decision sheet at next months meeting, April 15, 2026.

### Approval of Board of Zoning Appeals February 18, 2026, Regular Meeting Minutes

Mr. Fetzer made a motion to approve the February 18, 2026, regular meeting minutes as presented. Mr. Kruse seconded the motion. All were in favor, motion carried.

#### Unfinished Business

There was none.

#### New Business

There was none.

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### Other Business

There was none.

### Reports and Communications from Members and Staff

There was none.

### Adjournment

Mr. Shetler moved to adjourn the meeting and Mr. Kruse seconded the motion. All in attendance were in favor and the motion carried.

The meeting was adjourned at 6:26 p.m.

*Kathryn A Dale*

RECORDING SECRETARY

*Greg Huffman*

Greg Huffman

*Joseph R. Fetzer*

Joseph Fetzer

*Joseph Kruse*

Joseph Kruse

*Sherry Robert*

Sherry Robert

Clyde Shetler  
Board of Zoning Appeals

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