

WALNUT TOWNSHIP, FAIRFIELD COUNTY, OH - BOARD OF ZONING APPEALS (BZA)
11420 Millersport Rd., Millersport, OH 43067
HEARING #25-145 MEETING MINUTES
NOVEMBER 13, 2025 – 7:30 PM

Board of Zoning Appeals members present/absent:

Members present - Alex Fant, Martha Snavelly, Mark Helms, Ken Rienshield, Keri Melfi,

Zoning Inspector: Mike Berry – present

List of members of the public present, from sign-in sheet:

1. Danny Hall
2. Jim Gilmore

Advertised purpose of the hearing: Applicant Danny Hall is requesting a variance to add a front porch to his home located at 12460 Taylor Ave. NE Millersport. The property line offset for the porch on the southside will be 2' 10", the offset at the northside will be 7' 10". He said it would be a foot deeper than the porch that currently exists

Chair administered the oath to all members addressing the Board of Zoning Appeals. Chair administered the oath to all members addressing the Board of Zoning Appeals. Swearing in of ALL members of the public that intend to speak by the Chair: Chair stated. Any member of the public intending to speak or think they may want to speak during these proceedings shall rise to be sworn in. Please raise your right hand and repeat "*I state your name, agree to tell the truth the whole truth and nothing but the truth during these proceedings, so help me God*".

Information provided to the Board of Zoning Appeals prior to the proceedings:

- Exhibit # 25-145 - A (4 pgs.):** Zoning Application
- Exhibit #25-145- B – (1 pgs.)** Auditor's Site Survey
- Exhibit #25-145 –C - (1 pgs.)** Boundary Survey
- Exhibit #25-145 – D – (1 pgs.)** Site Setback
- Exhibit #25-145 – E – (1 pgs.)** Property Photo
- Exhibit #25-125 – F – (1 pgs.)** Property Sketch
- Exhibit #25-145 – G – (1 pgs.)** Notice to Property Owners
- Exhibit #25-145 – H – (1 pgs.)** List of Property Owners (contiguous)

Discussion: Chair Fant asked the applicant to explain the request for variance. Mr. Hall stated that the neighbor cut trees down that needed to be cut down however the result is that his home has become an oven and he wants to create some shade. Mike said that if the applicant were to come before the Board for a permit for a new build, the setback would be 25'. Mike stated the applicant is asking for a setback of 25' 2 ". Chair Fant said that this is giving him pause because what are the safety concerns for government services because this would place this so tight to the property line.

Chair Fant asked for comments from the community. Jim Gilmore, a neighbor said that he didn't have any opposition to speak about tonight because he wasn't sure until tonight what the applicant was requesting. At 7:44 p.m. the Board entered into Executive Session. At 7:54 p.m. the Board entered back into session. Chair Fant asked if there were any additional questions for the board. They were none.

Chair Fant asked for a vote, and before roll call, Mr. Gilmore expressed his opposition to the variance. Chair Fant said that he wanted to go through the reasons for the approval of the variance.

Is the applicant asking for a variance dealing with?

- I. **Area Variance:** If the applicant is asking for a variance in the area requirements of the Code (size, setbacks, etc.), a variance should be granted if strict adherence results in practical difficulties with the use of the property. To determine if there is a practical difficulty, using the variance application and testimony from the applicant at hearing, review the following:

- a. In granting an Area Variance, the Board shall determine that one or both of the following factors are met by the request:
 - i. The conditions upon which an application for a Variance is based are particular to the subject property with respect to the physical size, shape or other characteristics of the premises or adjoining premises, differentiating it from other premises in the same district; or **“putting a porch on the house will not affect that.”**
 - ii. The Variance would result in an improvement of the property that is more appropriate and more beneficial to the community than would be the case without granting of the Variance. **“Chair thinks that a porch is beneficial to the community and it makes the home look better.”**

- b. In granting an Area Variance, the Board shall also determine that all of the following factors are met by the request:
 - i. The essential character of the neighborhood would not be substantially altered, and adjoining properties would not suffer a substantial detriment as a result of the Variance; **“putting a porch on the front of the house does not do that.”**

- c.
 - i. The spirit and intent behind the subject zoning requirement would be observed and substantial justice done by granting the Variance; **“**
 - ii. The Variance is not substantial and is the minimum necessary to afford relief to the applicant and achieve an appropriate and beneficial improvement of the property; and **“it is substantial.”**

- d. The Variance would not adversely affect the delivery of governmental services (e.g., water, sewer, garbage). **“the chair doesn’t see this affected.”**

- e. In granting an Area Variance, the Board shall also consider the following factors:
 - i. Whether the property owner purchased the property with knowledge of the restriction; **“he purchased before the variance but**
 - ii. Whether the property in question will yield a reasonable return or whether there be any beneficial use of the property without the Variance; and **“**
 - iii. Whether the property owner’s predicament feasibly can be obviated through some method other than a Variance. **“maybe it could with curtains or other window coverings”**

Chair Fant asked for a Motion to Approve Variance Application #25-145 to approve the variance for 3 ft. on the southern side. Mark Helms made a motion to approve, Ken Reinschild seconded the motion.

Roll call: Fant, - No, - Helms, - Yes, there is a substantial setback from the road, but it will improve the look of the house, Snavelly – Yes, she feels substantial but only to a degree and if he stays within the 3 ft. it is okay,- , Rienschield – Yes, he would like to know the actual distance from the road, but he is voting yes; Perkins, - Yes, it will look nice but he must stay within the 3 ft.

Applicant’s proposed variance Application #25-145 with 4 yes votes.

Adjournment: At 8:00 p.m. Chair Fant asked for a motion to adjourn, Martha Snavelly made a motion to adjourn, Ken Rienschield seconded the motion. The motion passed with 5 yes votes.

Minutes Recorded By: Patricia McLoughlin

Alex Fant – Chair

Martha Snavelly - Vice Chair

