

**RECORD OF PROCEEDINGS**

WALNUT TOWNSHIP, FAIRFIELD COUNTY, OH - BOARD OF ZONING APPEALS (BZA)

11420 Millersport Rd., Millersport, OH 43067

**HEARING #26-20 MEETING MINUTES**

**MARCH 12, 2026 – 7:31 P.M.**

**Board of Zoning Appeals members present/absent:**

Members present - Alex Fant, Martha Snavely, Ken Rienscheld, Mark Helms, Keri Melfi, Shirley Kaye Perkins

**Zoning Inspector:** Mike Berry – present

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

**Advertised Purpose of Hearing:**

- 1. Matt McClellan, 3776 South Bank Rd. Millersport OH 43046

**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”*.

**Discussion:** Chair Fant asked the applicant to state the reason for application. He owns both properties and he didn’t want to do a lot combo. He wants to keep them separate in the event his daughter comes back, or he could sell it.

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

**Exhibit #26-20- A (4 pgs.):** Zoning Application

**Exhibit #26-20 – B (3 pgs.)** Architectural Drawings

**Exhibit #26-20 – C (1 pgs.):** Plat Survey

**Exhibit #26-20 – D – (1 pgs.):** Auditor’s Site Survey

**Exhibit #26-20 – E (1 pgs.):** Letter to Property Owners contiguous

**Exhibit #26-20 – F (1 pgs.):** List of Property Owners contiguous

Is the applicant asking for a variance dealing with?

1.

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 **“I don’t believe we have that here because we have normal size lots with the ability to tie these together.”**
- 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. "I do think the house design, new home in the area is a benefit to the community."

- 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; "that won't be the case here"
  - ii. The spirit and intent behind the subject zoning requirement would be observed and substantial justice done by granting the Variance; "
  - iii. 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 "we aren't stepping outside the lines."
  - iv. The Variance would not adversely affect the delivery of governmental services (e.g., water, sewer, garbage). "we are good for that, with a 25ft. setback with gravel."
- c. 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; "purchased in 2025 so we will assume that he did."
  - 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. "possibly, but that won't sway the chair's decision."

Chair Fant asked for a Motion to Approve Variance Application #26-19, Martha Snavelly made a motion to approve, Keri Melfi seconded the motion.

**Roll call: Fant, Yes, - Helms, Yes for the reasons stated by the Chair - Melfi - Yes – for the reasons stated by the Chair - Snavelly – Yes – for the reasons stated by the Chair - Rienschild,- Yes, there is plenty of property for access.**

**Applicant's proposed variance Application #26-20 passed with 5 yes votes.**

**Adjournment:** At 7:44 pm., Mark Helms made a motion to adjourn, Martha Snavelly seconded the motion. The motion passed with 5 yes votes.

Minutes Recorded By: Patricia McLoughlin

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Alex Fant – Chair

Martha Snavelly - Vice Chair