



**MINUTES OF THE:
WALNUT TOWNSHIP BOARD OF ZONING APPEALS (BZA)
VARIANCE HEARING #22 - 25
April 14, 2022 – 7:00 PM**

Board of Zoning Appeals members present:

Ken Reinschild, Mark Helms, Alex Fant, Ron Sharpe

Alternate Martha Snavely

Jane Hanley was absent

Zoning Inspector: Mike Berry - present

Invited guest(s) present:

Representing Variance #22-25, Aaron Wymer, Gabrielle Wymer, Michael Hauts

List of members of the public present:

1. Terry Horn

The Hearing was called to order at 7:00 PM by BZA Chairman Fant who led the Pledge of Allegiance.

HEARING PROCEEDINGS

Advertised Purpose of Hearing:

The purpose of this Hearing is to allow a variance in the required road frontage to split a property at 7270 Lake Rd Pleasantville, OH. The applicant is requesting a reduction in the required road frontage allowed by the Zoning Resolution from 200 feet to 102.2 feet. The property is Zoned RR (Rural Residential).

Swearing in of ALL members of the public that intend to speak by the Chair: 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 these proceedings:

Exhibit #22-25 - A: Application for Zoning Permit #22-25, pages 1-4

Exhibit #22-25 - B: Fairfield County GIS, page 1

Exhibit #22-25 - C: Site Survey of Land to be split, page 1

Exhibit #22-25 - D: Letter/Notice of Public Hearing, page 1

Exhibit #22-25 -E: List of Property Owners Property Owners, page 1

Opening comments by applicant: Aaron Wymer, having been duly sworn in states that “I have 10 acres of property with 300 feet frontage. You guys require 200 feet frontage to the driveway, so I’d like a variance where 200 foot stay with the original property and put the other 100 feet put up the road alongside the property there.

Chair Fant, having been duly sworn in then asked, “And when you split this property off from the house that includes, when we look at exhibit #22-25 B -GIS, all that property you will sell as one parcel?”

Mr. Wymer: “yes, the house, the pole barn and the garage are 2 acres and 8 acres on the new.

Chair Fant: OK. And, I’m going ask our Zoning Inspector, Mike Berry- the code is 200 feet frontage and, in this case, we’re looking at 100 feet for the split, sold portion, correct?”

Mr. Berry: “Correct – Well, which one are you going to sell, sir?”

Mr. Wymer: “The 100 foot. I’ll keep the 2 acres myself.”

Mr. Berry: “You’re keeping the house and the barns, right?”

Mr. Wymer: “Yes.”

Mr. Berry: “OK, that would be the 100 feet.”

Chair Fant: “And Michael, the county’s requirements are only 60 feet, correct?”

Mr. Berry: “60 feet.”

Chair Fant: “OK, so we’re looking at a 200 and the 100 is the variance request.”

Mr. Berry: “Since he’s keeping the one property at 200 feet, he doesn’t need a variance for that, that’s why there’s only one variance here. The part with the buildings and the house will be legal, 2 acres minimum with 200 of road frontage, zoned rural residential. That one meets all specs, it’s the open field that needs the variance for 100 feet instead of 200 feet.”

Chair Fant: “I’m going to address the applicant again. Do you, oh never mind, there’s no way to split that, it’s only 300 feet total. There’d be no way to split that land off without getting a variance? Um, Now, let’s see,.....if it’s sold, it will continue to be used as farmland, right?”

Mr. Wymer; “Yes.”

Mr. Berry: "If he wanted to build a house there, he'd have to meet the set backs and all that, which he very easily could."

Chair Fant: "He has a lot of land back behind that frontage and either way if there would be any other way, say someone would have to develop all that, they would have to come in with their own variances."

Mr. Berry: "If someone wanted to develop that, it would have to be rezoned and they would have to go through the whole process with the Zoning Commission, The Trustees and Regional Planning plus The Board of Zoning Appeals would be involved."

Chair Fant: "So the character of the neighborhood, surrounding landscape, wouldn't be irreparably changed from this. It has to be one entire parcel. You've owned this since July 1990. OK Do we have any other questions from the board?"

No response

Chair Fant; "I don't see any area variance, bought prior to the code, meets county requirement by 40 feet, it doesn't change the character of the neighborhood or surrounding area, and it also frees up you if you have this one piece of land that you don't want or can't work, and for all those reasons, it meets all our standards and I'm thinking I'm in support of granting this variance. Do we hear any reasons yea or nay from the board?"

Mr. Horn; "Mr. Chairman, I didn't swear in but would like to make a comment. Should I swear in?"

Chair Fant: "Yes." He swears in Mr. Horn.

Mr. Horn: "I'm here as a resident. One clarification; the purchase of the property – Zoning Resolution was in effect prior to 1990. This version has been in effect since 2015."

Chair Fant: "Were the frontage requirements the same in the earlier version?"

Mr. Berry: "In 1985, the variance was 60 feet for the township, because I needed a variance for my farm."

Chair Fant; "Well, thank you for the clarification, but that doesn't change my thinking for the variance>"

Mr. Horn: "Just a clarification that there was Township Zoning prior to 1990."

Chair Fant: "Other comments or reasons for support or reasons for non-support from other members of the board that we want to put on the record for the members of the BZA?"

Ms. Snavelly: "No."

Chair Fant: "Do I hear a motion to approve or disapprove of the Variance #22-25?"

Ms. Snavelly: "Motion to approve."

Mr. Rienschild: "Second."

Chair Fant: "Any further discussion on this? We covered our reasons when we went through the application. We think that it fits within the guardrails for accepting an area variance, so with that being the case, do we want to go ahead and have a roll call vote to approve the variance."

Roll Call Vote passes with 5 yes votes.

Adjournment: At 7:13 PM, Mark Helms made a motion to close this Hearing. Martha Snavelly seconded the motion. The motion passed with 5 yes votes.

Minutes Recorded By: Diane Powell

Alex Fant – Chair

Mark Helms – Vice Chair