

**MINUTES OF THE:
WALNUT TOWNSHIP BOARD OF ZONING APPEALS (BZA)
VARIANCE HEARING # 22 - 41
May 12, 2022 – 7:00 PM**

Board of Zoning Appeals members present:

Ken Reinschild, Mark Helms, Alex Fant, Ron Sharpe, Alternate Martha Snavelly

Jane Hanley was absent

Zoning Inspector: Mike Berry (MB) - present

Invited guest(s) present:

Cheryl Crist, representing Variance #22-41

The Hearing was called to order at 7:16 PM by BZA Chairman Fant.

HEARING PROCEEDINGS

Advertised Purpose of Hearing:

The purpose of this Hearing is to allow variance #22-41 of a one-foot overhang on the home to be constructed at 3275 South Bank Rd, Millersport, OH.

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 #22-41 - A: Application for Zoning, pages 1 – 4

Exhibit #22-41 -B: Front Elevation Picture, page 1

Exhibit #22-41- C: Survey Plat Picture, page 1

Exhibit #22-41- First Floor Picture, page 1

Exhibit #22-41-E: Notice of Public Hearing, page 1

Exhibit #22-41-F: List of Property Owners (Contiguous), page 1

Exhibit #22-41-G: The Crist Home Right Elevation, page 1

Exhibit #22-41-H: The Crist Home, Left Elevation, page 1

Opening comments by applicant: Cheryl Crist, having been duly sworn in states that “I’m in the process of downsizing and I’m planning to move to the South Bank Rd. address and there’s an existing 3 car garage on the property which will be demolished and then, put on there, the plans you have in front of you now. The existing garage is 33 foot wide now, and according to the restrictions now in place by zoning, I need a 1-foot variance to be able to put an overhang on the east and west side of the new place. When it’s all done, it will still be narrower than what is there now. It will be about 2 feet narrower. I have talked with both the neighbors. Jeff Runkle has a garage on one side of the property and Michael Patrick has a home on the other side. I gave them the same copy of the elevations and what I’m planning to put there and I did discuss it with both of them because it will affect them more than anyone else. So, I’m just asking for that so that we can do it to put the overhang on the roof – it won’t be anything on the ground.”

Chair Fant: Is there any particular reason that the garage couldn’t be a foot narrower on either side to fit within the current regulations?

Ms. Crist: Just to be able to get up on there and have the room size because it’s a narrow lot, to get everything they need on it and I want a basement so the builder had shrunk it down some for me because of the regulations, and because if we could get the one foot, it wouldn’t infringe on anybody.

Chair Fant; Mr. Berry, the setback, the current garage is still there?

Mr. Berry: yes

Chair Fant: The current garage is already nonconforming?

Mr. Berry: right

Chair Fant: And the plans that have been submitted are less nonconforming than what we have now.

Mr. Berry: They will not be adding to the nonconformity now. In another note, the neighbor to the east, he’s right on the property line. The building itself meets the setback but we measure from the overhang, so...

Chair Fant: 5-foot setback for this particular lot so now it’s a 4-foot setback. Is this the garage alone?

Ms. Crist: What’s there now is a garage, but I’m putting a home behind it. The garage will face the street.

Chair Fant: One long garage with a house in front of it.

Ms. Crist: With the house behind it.

Chair Fant; So that will be reflected in Exhibit #22-41D.

Ms. Crist: Yes, there you go.

Chair Fant: Already have a nonconforming structure, Mike, letters went out to the neighbors, correct?

Mr. Berry: Yes, and I did not receive anything from them

Chair Fant: And there's no one else here tonight.

Mr. Berry: And the ad went into the paper, too.

Chair Fant: So, there's no one here for or against.

Mr. Berry: I've received no calls.

Chair Fant: So, we're replacing a nonconforming structure with a less nonconforming structure. Do we have any other questions from the board?

MS. Snively: no

Chair Fant: I would say, from my own perspective, we have a new structure that fits in with the existing character of the neighborhood. And we're only talking about an overhang and we already have a neighboring structure on the property line I would have no reason to not support this variance myself but not sure about any other comments from the board?

MS. Snively: No, I agree with you.

Motion by Ron Sharpe to approve Variance I # 22-41, second by Martha Snively.

Roll Call Vote: 5 yes votes.

Applicants proposed Variance is hereby approved.

Adjournment: At 7:25 PM, Martha Snively made a motion to close this Hearing. Ron Sharpe seconded the motion. The motion passed with 5 yes votes.

Minutes Recorded By: Diane Powell

Alex Fant – Chair

Mark Helms – Vice Chair