

**MINUTES OF THE:
WALNUT TOWNSHIP BOARD OF TRUSTEES
ZONING HEARING # 22-30
July 18, 2022 – 7:00 PM**

Township Officials present:

Trustees Terry W. Horn and William R. Yates

Doug Leith and Fiscal Officer Pam Shaloo- absent

Department Heads present:

Zoning Inspector – Mike Berry

Attendees:

1. Ryan Clum, applicant
2. Steve Kenney
3. JoAnne Lohne
4. Larry Shaffner
5. Bryan Dell
6. Teddy Stygler

The meeting was called to order at 7:00 PM by Trustee Chairman Yates and the Pledge of Allegiance to the Flag was recited.

HEARING PROCEEDINGS

Advertised Purpose of Hearing:

The purpose of this hearing was for the applicant, Ryan Clum, To Rezone parcel 0490263900 from RR to R2, application #22-30. The reason for the rezoning is to split the lot into 3 parcels for single family homes. R2 will allow 100' plus of road frontage for each lot. The surrounding properties to the front and back of the property are zoned R2.

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 Trustees prior to these proceedings:

- Exhibit #22-30 A: Variance Application, 2 pages

- Exhibit #22-30 B: Clum Letter, 1 page
- Exhibit #22-30 C: Plat Survey, 1 page
- Exhibit #22-30 D: ODOT Road Access, 1 page
- Exhibit #22-30 D1, 1 page
- Exhibit #22-30, D2, 1 page
- Exhibit #22-30, D3, 1 page
- Exhibit #22-30 E: Baltimore Village Letter, 1 page
- Exhibit #22-30 F: Regional Planning Letter & Docs., 3 pages
- Exhibit #22-30 G: Notice to Property Owners, 1 page
- Exhibit # 22-30 G1: Contiguous Property Owners, 1 page
- Exhibit #22-30 H: Zoning Commission Letter to Approve, 1 page
- Exhibit #22-30 I: Lancaster Eagle Ad, 1 page

Provided during the Hearing:

- Exhibit #22-30 J: Sketch, map of drain tile on Mr. Clum’s property provided by Larry Schaffner.

Opening comments: Trustee Terry Horn read Exhibit 22-30 B: “My name is Ryan Clum and I am filing a rezone application to rezone Baltimore Somerset RD, parcel #0490263900 from RR to R2. The reason for rezoning this property is to split the lot into 3 parcels for single family homes. R2 will allow me to do that with 100’ of road frontage for each lot. I have attached the lot split survey I have already had done, which shows the proposed lot split. I am unable to apply for a variance for road frontage due to the setback restrictions of RR, which is another reason for me to rezone this property to R2. The surrounding properties to the front and back of my property are zoned R2 as well. Per my email conversation with James Mako, the lot split and rezone is OK from the County’s perspective. Mr. Mako asked me to get a letter from the Village of Baltimore stating they would service water and sewer, and to reach out to ODOT for their approval. I have attached both, the letter from the Village of Baltimore and the recommendation from ODOT.”

Mr. Berry stated the application was approved by Regional Planning and the Zoning Commission. There was one letter from Joanne Lohne, prior to the Zoning Commission and that she was against the rezone.

Chair Yates asked for public comments for and or against the proposed rezone.

Trustee Horn showed a Township Zoning District Map on the Meeting Room monitor and indicated the location of the subject property on the map. Trustee Horn noted that the subject parcel and much of the surrounding parcels are Rural Residential (RR). He also indicated where the adjacent Two-Family Residential (R2) districts were located.

Mr. Clum noted that the parcels immediately to the north and south are currently zoned R2.

Ms. Lohne was hopeful that Mr. Clum would only develop single family residences on this parcel. Mr. Clum stated that as it stands now, his plan is for single family residences.

Mr. Clum stated that his main reason for the R2 district is that it allows for only a 100’ road frontage requirement. Whereas, the one-family residential (R1) district requires 120’ of road frontage. This will allow for the creation of three (3) parcels. Mr. Clum provided a survey (Exhibit #22-30 C) of the proposed new configuration.

Trustee Horn acknowledged that there is approximately 310' of total frontage along SR 256 on his current parcel.

Mr. Kinney stated that on a previous rezone for Mr. Landis directly to the north of SR 26. That there is a deed restriction written in Robert Landis' parcels (across the street lots) property that he would not put two-family homes in there. He is requesting that do the same thing.

Mr. Clum stated that he would not be making any deed restrictions.

There was considerable discussion and concerns from the neighbors about the current standing water issues of the entire area and how new building and construction would affect the surrounding area from a flooding perspective.

Trustee Horn stated that any property owner would need to be aware of the Ohio Drainage laws and so if they would add to the surface water on your property, you would have grounds to file a suit, but that would be between you and them.

The residents were concerned about property values if the houses become two-family rental properties.

Mr. Schaffner stated for the record, Witherspoon Dr. is served by a storm water drain pipe that extends north of Witherspoon and onto the property of Mr. Clum. This drains the 6 properties in the neighborhood. He was concerned that this may be disturbed during any future construction. Mr. Schaffner provided a sketch map (Exhibit #22-30 J).

Trustee Horn stated that the application is a reasonable request. There are other R2's in area. The use is for residential and the applicant has tried to maximize the use of the parcel.

Chairman Yates moved to close the discussion and complete it in the Special meeting immediately following this Hearing.

Adjournment: At 7:42 PM, Trustee Yates made a motion to adjourn. Trustee Horn seconded the motion. The motion passed with 2 yes votes.

Minutes Recorded By: Diane Powell

Pam Shaloo, Fiscal Officer

William R. Yates, Chairman

Douglas G. Leith, Vice Chairman

Terry W. Horn