

# RECORD OF PROCEEDINGS

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

11420 Millersport Rd., Millersport, OH 43067

## HEARING #25-8 MEETING MINUTES

February 13, 2025 – 7:58 PM

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

Members present - Alex Fant, Martha Snavely, Mark Helms, Ken Rienscheld, Ron Sharpe,

**Zoning Inspector:** Mike Berry – present

Members absent: Rick Singer, Alternate

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

1. Lois & John Littler, 5725 Blacklick-Eastern Rd. Thornville, OH
2. Roger Kilbarger, 11895 Shell Beach Rd. Thornville, OH

### Advertised Purpose of Hearing:

The purpose of the Hearing was for the Variance Application #25-8 by Lois Littler for the property located at 5725 Blacklick-Eastern Rd., Thornville, OH requesting a reduction in the front setback from the required 100 ft. to 41 ft. for the purpose of building an accessory structure.

**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. 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"*.

Chair Fant said that the Board has always been in favor of sheds, garages, etc., for residents to store their cars, etc.

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

**Exhibit 25-8 - A (5 pgs.):** Zoning Application #25-8

**Exhibit #25-8– B (1 pgs.)** Auditor's Site Plan

**Exhibit #25-8 – C (1 pgs.)** County Tax Valuation

**Exhibit #25-8 – D (1 pgs.)** AEP Service Request

**Exhibit #25-8 – E (1 pgs.)** List of Property owners (Contiguous)

Chair Fant asked the applicants to state their reasons for requesting the Variance.

Is the applicant asking for a variance dealing with?

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- 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
    - 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.
  - 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; “this is strange because of the shape of the lot”
  - 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 “it not substantial, because the Chair feels that the side setbacks would encroach on other property”
  - iv. The Variance would not adversely affect the delivery of governmental services (e.g., water, sewer, garbage). “we are good there”
- 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;
  - 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 “without the house they could approve and it would still have a return, but they aren’t considering this.”
  - iii. Whether the property owner’s predicament feasibly can be obviated through some method other than a Variance.

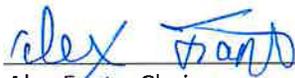
Chair Fant asked for a Motion to Approve Variance Application #25-8, Martha Snavelly made a motion to approve, Ken Rienscheld seconded the motion.

**Roll call: Fant, - Yes, - Helms, - Yes, - Sharpe, - Yes, Snavelly, - Yes, - Reinschild - Yes**

**Applicant’s proposed variance Application #25-was approved with 5 yes votes.**

**Adjournment:** At 8:12 PM, Ron Sharpe made a motion to adjourn, Ken Rienscheld seconded the motion. The motion passed with 5 yes votes.

Minutes Recorded By: Patricia McLoughlin

  
 Alex Fant – Chair

  
 Martha Snavelly - Vice Chair

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