

RECORD OF PROCEEDINGS

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

11420 Millersport Rd., Millersport, OH 43067

HEARING #25-18 & #25-19 MEETING MINUTES

March 13, 2025 – 7:00 PM

Board of Zoning Appeals members present/absent:

Members present - Alex Fant, Martha Snavelly, 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. Mary Vogel RR1 Box 162 Bremen, OH
2. Anthony Valentine PO Box 153 Junction City, OH
3. Travis Valentine, PO Box 153 Junction City, OH
4. Melissa Harget, 5738 Fairfield Beach, Thornville, OH
5. Tammy Noble, 4940 Sharon Ave., Columbus, OH

Advertised Purpose of Hearing: The applicant is asking for a lot split from the current 140' x 140' to two 70' x 100' lots in order to build two homes.

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 asked the applicants to state their reasons for requesting the Variance. The applicants stated that the current lot is odd shaped and it would make more sense to split the current lot into two separate lots and build two homes.

Discussion: Chair Fant stated for the record, this hearing would be considering both application #25-18 & #25-19 together. Chair Fant asked the applicant Anthony Valentine to explain his request for variance. Anthony Valentine stated that to him splitting the lot into two lots just made more sense to build two homes. Chair Fant stated that currently this is an existing 140 x 140 lot.

Chair Fant asked zoning inspector Mike Berry why this was an odd shaped lot? Mike said that the property is land locked in that there is not a current lane to the property.

Tammy Noble, resident, asked where the access would be? Chair Fant asked the applicant and he stated that the lane would come off of Pine and go in front of the homes and stops. Ultimately, he wants to pave that lane. Melissa Harget asked how far the property line is and Chair Fant replied that it would be 20 ft. from her property. She asked about privacy fences, and Mr. Valentine stated that the fences would be in the back of the property. Mr. Valentine stated that he wanted the community to know that as he continues to build, he is planning to keep as many trees as possible. Mike Berry wanted to state that he has worked with many builders, but specifically the Valentine brothers do good work and improve the properties that they build on.

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

Exhibit #25-18 & #25-19 - A (4 pgs.): Zoning Application #25-18 & #25-19

Exhibit #25-18 & #25-19 – B – (1 pgs. Survey Platte

Exhibit #25-18 & #25-19 – C – (1 pgs. – Property Setback Home 1

Exhibit #25-18 & #25-19– D– (2 pgs. – Property Setback Home 2

Exhibit #25-18 & #25-19 – E (1 pgs.) - List of property owners (contiguous)

Exhibit #25-18 & #25-19 – F (1 pgs.) Letter to property owners

Is the applicant asking for a variance dealing with?

- 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 "Chair Fant said that he is not sure they meet this one because the property is buildable.
 - 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. "Chair Fant feels that this is the case for this property, we need more homes, the schools need more children, etc. and therefore will result in an improvement in the property."
 - 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; "he doesn't think the character would not change, not changing density."
 - ii. The spirit and intent behind the subject zoning requirement would be observed and substantial justice done by granting the Variance; "Chair Fant said yes."
 - 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 "Chair Fant said that this is not substantial but taking 30 ft. off of the road frontage is substantial, but this is the minimum necessary to offer relief."
 - c. The Variance would not adversely affect the delivery of governmental services (e.g., water, sewer, garbage). "Chair Fant feels that this will improve access for fire and EMS etc. by putting the lanes in"
 - d. 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; "Obviously they 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 "there would be"
 - iii. Whether the property owner's predicament feasibly can be obviated through some method other than a Variance. "What the applicant is asking for they could not be solved without the Variance."

Chair Fant asked for a Motion to Approve Variance Application #25-18 with a contingency that there is a 25ft. setback from Alder Road which would lead to a 113 ft setback to the property that will be subject to approval of Application #25-19. Martha Snavelly made a motion to approve, Mark Helms seconded the motion.

Roll call: Fant, - Yes - Helms, - Yes- Snavelly - Yes, - Sharpe – Yes, - Reinschild – Yes.

Applicant's proposed variance Application #25-18 with 5 yes votes.

Chair Fant asked for a Motion to Approve Variance Application #25-19 as applied. Motion by Ron Sharpe, second by Martha Snavelly.

Roll call: Fant, - Yes – Helms, - Yes, - Snavelly, - Yes, - Sharpe – Yes, - Reinschild – Yes.

Applicant's proposed variance Application #25-19.

Adjournment: At 7:39, Chair Fant asked for a motion to adjourn, motion by Martha Snavelly, second by Ron Sharpe. The motion to adjourn passed with 5 yes votes.

Minutes Recorded By: Patricia McLoughlin



Alex Fant – Chair



Martha Snavelly – Vice-Chair