

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

11420 Millersport Rd., Millersport, OH 43067

HEARING #25-20 & #25-21 MEETING MINUTES

March 13, 2025 – 7:55 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. Kyle Robinson 521 City Park, Columbus, OH 43215

Advertised Purpose of Hearing: Request to subdivide the property and build homes together. The lot would be split into three similarly sized parcels but the needed frontage for three homes doesn't exist under current zoning. The justification for the variance is simply that there is not enough frontage, compared to the total acreage, to build three 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 advised the board that the Variance Applications #25-20 & #25-21 would be heard together. Chair Fant asked zoning inspector Mike Berry the reason for the application. Mr. Betty stated that this is one large property and the applicant wanted to split the property into 3 separate lots for brothers to build 3 separate homes.

The lot would be split into three similarly sized parcels to accomplish this, but the needed frontage for each lot doesn't exist. These Variance Applications #25-20 and #25-21 show the proposed layout and frontage dimensions. Specifically, the requested variance is for the two lots that do not meet the minimum frontage requirements to be allowed to be built on with the proposed frontage, per the attached drawings. Mr. Robinson said that it is his desire to create a sort of compound for him and his 3 brothers.

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

Exhibit #25-20 & #25-21 - A (4 pgs.): Zoning Application #25-20 & #25-21

Exhibit #25-20 & #25-21- B – (1 pgs.) Variance Request Explanation

Exhibit #25-20 & #25-21- C – (1 pgs.) – Architectural Drawings

Exhibit #25-20 & #25-21- D– (1 pgs.) – List of Property owners (Contiguous)

Exhibit #25-20 & #25-21- E - (1 pgs.) - Letter to property owners

Exhibit #25-20 & #25-21 – F - (1 pgs.) - Auditor's Survey

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 "this is one large lot to be split into 3 separate homes for the purpose of building not one but 3 homes."

- 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; “chair stated that the Board is open and supportive of growth as this would improve the community, supporting the schools, etc.”
 - ii. The spirit and intent behind the subject zoning requirement would be observed and substantial justice done by granting the Variance; “not looking or a massive variance and this sets back with all 3 houses, it would not affect anything.”
 - 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 “this variance isn’t looking for anything crazy but just splitting the lot.”
- c. The Variance would not adversely affect the delivery of governmental services (e.g., water, sewer, garbage). “Chair Fant stated he doesn’t think so, because the property is not interfering with any other property”
- 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 he 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 “it probably could.”
 - iii. Whether the property owner’s predicament feasibly can be obviated through some method other than a Variance. “The Chair said there is not another consideration.”

Chair Fant asked for a Motion to Approve Variance Application #25-20 & #25-21 Martha Snavelly made a motion to approve, Ron Sharpe seconded the motion.

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

Applicant’s proposed variance Application #25-20 & #25-21 with 5 yes votes.

Adjournment: At 8:11 p.m., Martha Snavelly made a motion to adjourn, Ron Sharpe seconded the motion. The motion passed with 5yes votes.

Minutes Recorded By: Patricia McLoughlin

Alex Fant – Chair

Martha Snavelly - Vice Chair

