

WALNUT TOWNSHIP, FAIRFIELD COUNTY, OH - BOARD OF ZONING APPEALS (BZA)  
11420 Millersport Rd., Millersport, OH 43067  
**HEARING #25-108 MEETING MINUTES**  
SEPTEMBER 11, 2025 – 7:00 PM

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

Members present - Alex Fant, Martha Snavelly, Mark Helms, Ken Rienshield, Keri Melfi, Alternate

**Zoning Inspector:** Mike Berry – present

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

1. Jim Cotugno, 11625 Poplar Creek Rd. Baltimore
2. Matt Collin, 6265 Mamie, Pickerington
3. Susan White, 229 Baltimore-Somerset Rd. Baltimore
4. Fairfield County Sheriff's Deputy

**Advertised Purpose of Hearing:** Applicant Jim Cotugno is requesting variance for property located at 445 Baltimore-Somerset Rd. Baltimore, OH. Parcel #0490263500. Variance request is to change front yard setback from 100' to 45' and allow for a lot split under 2 acres to 1 acre. Baltimore will be annexing the 100 acre lot where the property is located.

**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*".

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

**Exhibit # 25-108 - A (4 pgs.):** Zoning Application #25-108A

**Exhibit #25-108- B – (1 pgs.)** Plot Plan

**Exhibit #25-108- C – (1 pgs.)** Village of Baltimore Annexation Letter

**Exhibit #25-108 – D – (1 pgs.)** Auditor's Site Plan

**Exhibit #25-108 – E – (1 pgs.)** Notice to property owners (contiguous)

**Exhibit #25-108 – F – (2 pgs.)** List of property owners (contiguous)

**Discussion:** Chair Fant asked the applicant to explain the request for variance. James Cotugno addressed the Board and stated that currently there is a 2 acre lot in his subdivision and he would like to split the property into two 1 acres lots with 100' setback. He said he wants to move a house to fit more properly in the subdivision. He further stated that he fits into the Baltimore zoning, but the property has not yet been annexed and he wants to move the house now.

Susan White, a neighbor, said she was not concerned with the split or the house, but is more concerned about the development itself. The board stated that it was a different concern and she could discuss that with Mr. Cotugno outside of the hearing.

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 "we already have that here since he is going from a 2 acre to a 1 acre lot."

- 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. **“still going to be residential and a larger lot.”**
- 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; **“it will not.”**
- c.
- i. The spirit and intent behind the subject zoning requirement would be observed and substantial justice done by granting the Variance; **“As the zoning inspector commented, this is already 4x the size of the other lots.”**
  - ii. 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 **“as far as the setback goes, he is brought it back a little to fit in with the lots around him”**
- d. The Variance would not adversely affect the delivery of governmental services (e.g., water, sewer, garbage). **“not affected.”**
- e. 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, but that is fine.”**
  - 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 “
  - iii. Whether the property owner’s predicament feasibly can be obviated through some method other than a Variance. **“for what he wants to do with the property, it is not important.”**

Chair Fant asked for a Motion to Approve Variance Application #25-108. Martha Snavely made a motion to approve, Ken Reinschild seconded the motion.

**Roll call: Fant, - Yes, - Helms, - Yes, - Snavely – Yes, - , Rienschild - Yes  
Applicant’s proposed variance Application #25-108 with 4 yes votes.**

**Adjournment:** At 7:33 p.m. Chair Fant asked for a motion to adjourn, Martha Snavely made a motion to adjourn, Ken Reinschild seconded the motion. The motion passed with yes votes.

Minutes Recorded By: Patricia McLoughlin

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Alex Fant – Chair

Martha Snavely - Vice Chair

