

RECORD OF PROCEEDINGS

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

11420 Millersport Rd., Millersport, OH 43067

HEARING #25-45 MEETING MINUTES

MAY 8, 2025 - 7:41 PM

Board of Zoning Appeals members present/absent:

Members present - Alex Fant, Martha Snavelly, Mark Helms, Ron Sharpe

Zoning Inspector: Mike Berry – present

Members Absent: Ken Rienscheld, Alternate, Rick Singer

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

1. Bob & Ruth Lingo, 12140 Bright Street, Millersport
2. Carry Kehle, 4396 Timothy Lane, Canal Winchester
3. G. Keith Spestraud, 2023 Fallsburg Rd. Newark
4. James Stark, 2646 Reynoldsburg-New Albany Rd., Blacklick
5. James Phillips, 14808 Hock-Hocking Rd. Logan

Advertised Purpose of Hearing: The Applicant, Robert Lingo is requesting a variance to build a 5,000 sq. ft. garage, to store his excess vehicles and toys.

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 explain their request for variance. Mr. Lingo stated that he wants to build the garage in the same architectural design of the house. Mr. Lingo purchased the property 10 years ago and there were two lots, one with a duplex that is the footprint of the requested garage. Mr. Lingo stated that it will be just a little more of a footprint.

Chair Fant stated that the Board are fans of garages and moving items inside. However, he is concerned with a 5,000 square foot on lakefront property. Chair Fant said that we need to make sure the property is being respected and consideration of the surrounding properties.

James Stark, district superintendent of the Pentecostal Church. His concern is what the frontage will be on front street. He asked what they would be looking at, windows, doors, etc. and Mr. Lingo replied that there would be windows. Mr. Stark asked the elevation, and Mr. Lingo replied 22 ft. Chair Fant stated that is the max of any building. Chair Fant said that the plans that were presented shows max of 22 ft.

Mr. Stark asked for comparison, what is the current elevation of Mr. Lingo’s house? Mike Berry replied on a house max is 35 ft. which is the mean height.

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

Exhibit #25-45 - A (4 pgs.): Zoning Application #25-45

Exhibit #25-45 – B (1 pgs.) Auditor’s Site Survey

Exhibit #25-45– C (1 pgs.): Letter to Property Owners

Exhibit #25-45 – D – (1 pgs.) – List of Property Owners (contiguous)

Exhibit #25-45– E - (4 pgs.) – Property photos

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
 - 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. "based on the presentation, it would look better for the community so that is met"
- 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; "Because he is replacing a two story duplex with a single story garage, this would not substantially alter the property"
 - ii. The spirit and intent behind the subject zoning requirement would be observed and substantial justice done by granting the Variance; "replacing one with the other, the spirit is observed"
 - 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 "not changing really anything, just replacing the duplex with a garage"
 - iv. The Variance would not adversely affect the delivery of governmental services (e.g., water, sewer, garbage). "actually further back, so not impeding the church's use of property or getting in the way of governmental services"
- 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; "purchased in 2015, so legally he had knowledge but doesn't sway the Chair's decision"
 - 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 "that would be a yes"
 - iii. Whether the property owner's predicament feasibly can be obviated through some method other than a Variance. "

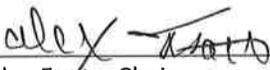
Chair Fant asked for a Motion to Approve Variance Application #25-44, Martha Snavelly made a motion to approve, Ron Sharpe seconded the motion.

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

Applicant's proposed variance Application #25-44 with 4 yes votes.

Adjournment: At 8:00 PM, Martha Snavelly made a motion to adjourn, seconded the motion, Ron Sharpe, seconded the motion. The motion passed with 4 yes votes.

Minutes Recorded By: Patricia McLoughlin


Alex Fant – Chair


Martha Snavelly - Vice Chair

