

RECORD OF PROCEEDINGS

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

11420 Millersport Rd., Millersport, OH 43067

HEARING #25-56 & #25-57 MEETING MINUTES

MAY 22, 2025 – 7:25 PM

Board of Zoning Appeals members present/absent:

Members present - Alex Fant, Martha Snaveley, Mark Helms,

Members absent: Ron Sharpe, Rick Singer, Alternate

Zoning Inspector: Mike Berry – present

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

1. Michael Hiles, 7246 Lake Rd. Pleasantville, OH 43148
2. Josh Wymer, 116 South High Street Baltimore OH 43105
3. Cassandra Wymer 116 South High Street Baltimore OH 43105
4. Gabrielle Hiles 7246 Lake Rd. Pleasantville, Oh 43148

Advertised Purpose of Hearing: The Applicant Michael Hiles is asking to split his current parcel of 8 acres (Parcel No. 0470222400) into a parcel of 6 acres; and another parcel of 2 acres.

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*”.

Discussion: Chair Fant asked the applicant to explain the reason for application. He stated that he wanted to split the lot in order to build a house. The applicant stated that he had split the lot previously in 2022, but needed to split it again as it is a flag shaped lot.

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

Exhibit #25-56 & #25-57 - A (4 pgs.): Zoning Application #25-56 & #25-57

Exhibit #25-56 & #25-57 – B (1 pgs.) Email from Applicant Michael Hiles to Zoning Inspector

Exhibit #25-55 & #25-57 – C (1 pgs.): Survey Platte

Exhibit #25-56 & #25-57 – D – (2 pgs.): Property photos

Exhibit #25-56 & #25-57– E - (1 pgs.): Letter to Property Owners (contiguous)

Exhibit #25-56 & #25-57 – F (1 pgs.): List of Property Owners (contiguous)

Exhibit #25-56 & #25-57 – G (2 pgs.): AEP Easement & Right-of-way

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 “they have a lot of land but a bottleneck in the front. If the Board said no, they would have a lot of dead land.”

- 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 doesn't think it would be bad for the community, not sure an improvement, but there would be a nice house but conditions are specific to this 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; "not putting in duplexes and changing the complexity, so character will not be altered."
 - ii. The spirit and intent behind the subject zoning requirement would be observed and substantial justice done by granting the Variance; "we do meet this requirement."
 - 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 is substantial because we are looking at an already split parcel and splitting it again, but the Chair doesn't think this is substantial."
 - iv. The Variance would not adversely affect the delivery of governmental services (e.g., water, sewer, garbage). "no issues with sewer, water, fire, etc. no problems."
- 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; "yes, but it will not sway the Chair."
 - 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 "they met all of the other conditions, so no concern."
 - iii. Whether the property owner's predicament feasibly can be obviated through some method other than a Variance. "sharing the driveways, but cannot split otherwise."

Chair Fant asked for a Motion to Approve Variance Application #25-55 & #25-57, Mark Helms made a motion to approve, Martha Snavelly seconded the motion.

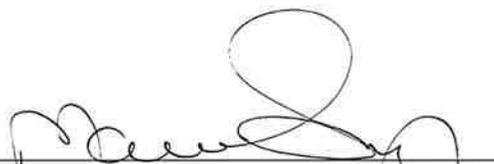
Roll call: Fant, - Yes for the reasons stated in red above, - Helms, Yes for the reasons stated, Snavelly, Yes for the reasons stated, Reinschield, Yes for the reasons stated.

Applicant's proposed variance Application #25-56 7 #25-57 with 4 yes votes.

Adjournment: At 7:40 pm seconded the motion. The motion passed with 5 yes votes.

Minutes Recorded By: Patricia McLoughlin


Alex Fant – Chair


Martha Snavelly - Vice Chair