

WALNUT TOWNSHIP, FAIRFIELD COUNTY, OH - BOARD OF ZONING APPEALS (BZA)  
11420 Millersport Rd., Millersport, OH 43067  
**HEARING #25-109 & #25-110 MEETING MINUTES**  
SEPTEMBER 11, 2025 – 7:35 PM

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

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

**Zoning Inspector:** Mike Berry – present

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

1. Larry Kohle, 4396 Timothy Lane, Canal Winchester

**Advertised Purpose of Hearing:** Applicant is requesting variance for parcel #0461128800 located on Elm Road, Fairfield Beach. Applicants is requesting the lots (4333-4339) be split into 2 lots 70' wide to make the lots more in line with the size of homes to be built.

**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 "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 # 25-109 & #25-110 - A (4 pgs.):** Zoning Application

**Exhibit #25-109 & #25-110– B – (1 pgs.)** Boundary Survey Split

**Exhibit #25-109 & #25-110 – C – (1 pgs.)** Notice to Property owners (contiguous)

**Exhibit #25-109 & #25-110 – D – (2 pgs.)** List of Property owners (contiguous)

**Discussion:** Chair Fant asked the applicant to explain the request for variance. Mr. Kohle addressed the board and stated that he purchased this property with 17 lots with one parcel number. He wants to split 2 lots 100' x 100', and one lot 140' x 100' and wants to split into two 70' lots. Chair Fant asked what is wrong with one large lot? Mr. Kohle said he spoke to the builders and they prefer not to build on a lot wider than it is deep.

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 "there is a size difference."
    - 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. "majority of homes on Fairfield Beach are single family homes and the character of the neighborhood would not be altered, and there is improvement to the neighborhood."
  - 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; “the Board has already determined that the neighborhood would not be altered, but in fact improved.”

- c.
  - i. The spirit and intent behind the subject zoning requirement would be observed and substantial justice done by granting the Variance; “the spirit and intent is observed since we have single family homes on not outrageously small 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 “it is substantial taking two large lots and splitting. The variance is the minimum necessary to build two homes,”
- d. The Variance would not adversely affect the delivery of governmental services (e.g., water, sewer, garbage). “will not be 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; “yes, but that is why he is asking for the variance.”
  - 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 is buildable without the variance.”
  - iii. Whether the property owner’s predicament feasibly can be obviated through some method other than a Variance. “it is not a predicament,”

Chair Fant asked for a Motion to Approve Variance Application #25-109 & #25-110. Martha Snavelly made a motion to approve, Mark Helms seconded the motion.

**Roll call: Fant, - Yes, - Helms, - Yes, - Snavelly – Yes, - , Rienschild - Yes  
Applicant’s proposed variance Application #25-109 7 #25-110 with 4 yes votes.**

**Adjournment:** At 7:46 p.m. Chair Fant asked for a motion to adjourn. Martha Snavelly made a motion adjourn, Mark Helms seconded the motion. The motion passed with 4 yes votes.

Minutes Recorded By: Patricia McLoughlin

  
Alex Fant – Chair

  
Martha Snavelly - Vice Chair