

WALNUT TOWNSHIP, FAIRFIELD COUNTY, OH - BOARD OF ZONING APPEALS (BZA)
11420 Millersport Rd., Millersport, OH 43067
HEARING #25-120 MEETING MINUTES
SEPTEMBER 25, 2025 – 7:00 PM

Board of Zoning Appeals members present/absent:

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

Zoning Inspector: Mike Berry – present

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

1. Bruce Point, 13353 Grove Rd. Fairfield Beach
2. Curtis Berry, 1800 West Market St. Baltimore
3. Chris & Jessica Treisch, Lake Rd./Bickel Church Rd. Millersport
4. Larry Kohle, PO Box 148, Lithopolis
5. Mike Stenson, 5350 Alder Rd. Fairfield Beach
6. John Stenson, 13330 Elm Rd. NE Fairfield Beach

Advertised Purpose of Hearing: Applicant Michael Stenson is requesting variance for property located At 5350 Alder Rd. Thornville. He is requesting a 7 ft. setback variance from Alder. Rd. Mr. Stenson stated that his porch had been damaged in a storm and he replaced it without a permit. During a visit to the property, Zoning Inspector Mike Berry informed Mr. Stenson that he needed a permit, and that if he had only repaired the porch and kept the same footprint rather than replace it, he would not have needed a variance.

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 # 25-120 - A (4 pgs.): Zoning Application

Exhibit #25-120– B – (1 pgs.) Notice to Property Owners (contiguous)

Exhibit #25-120– C – (1 pgs.) List of Property Owners (contiguous)

Exhibit #25-120 – D – (1 pgs.) Auditor’s Site Survey

Exhibit #25-120 – E – (1 pgs.) Engineer’s Survey

Exhibit #25-120 – F – (2 pgs.) Property Photos

Discussion: Chair Fant asked the applicant to explain the request for variance. Mike Stenson addressed the Board. He stated that a storm damaged his porch. The existing porch was 8’ x 10’ and he decided to replace it rather than repair it. He didn’t think anything of the replacement because there was an existing porch. During the replacement process, Mike Berry advised him that he needed to apply for a variance since the setback was changing. Mike stated that if Mr. Stenson had fixed what was there, he would not have needed to apply for a variance, but since he removed the existing structure and rebuilt, the variance was required.

Is the applicant asking for a variance dealing with?

1. **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 don’t have that here”

- 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. "what he is asking for is so small, and this will improve the quality of work improves the value of the home"
- 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 is only adding 2 ft."
- c.
 - i. The spirit and intent behind the subject zoning requirement would be observed and substantial justice done by granting the Variance; "
 - 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 "this will be observed and upheld."
- 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; "bought in 2017, yes technically, but it won't sway the vote."
 - 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 "technically could, but it would be more beneficial to the community if variance granted."
 - iii. Whether the property owner's predicament feasibly can be obviated through some method other than a Variance. "no he cannot"

Chair Fant asked for a Motion to Approve Variance Application #25-120. Martha Snavely, made a motion to approve, Ken Reinschild seconded the motion.

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

Helms, - Yes, - "it will improve the property."

Snavely – Yes – "for the reasons stated by the chair and the variance is not significant and it looks great."

Rienschield - Yes - "for the greenspace and that the government services will not be affected."

Melfi – Yes - "It will result in significant improvement."

Applicant's proposed variance Application #25-120 with 5 yes votes.

Adjournment: At 7:10 p.m. Chair Fant asked for a motion to adjourn, Martha Snavely made a motion to adjourn, Mark Helms seconded the motion. The motion passed with 5 yes votes.

Minutes Recorded By: Patricia McLoughlin


 Alex Fant – Chair


 Martha Snavely - Vice Chair

