

Piatt County
Zoning Board of Appeals

March 25, 2021
Minutes

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Thursday, March 25, 2021 in Room 104 of the Courthouse and via Zoom. Chairman Loyd Wax called the meeting to order. The roll was read. Attending were: Wax, Jim Harrington, Dan Larson, William Chambers and Keri Nusbaum. County Board members in attendance: Ray Spencer, Jerry Edwards and Todd Henricks.

MOTION: Chambers made motion, seconded by Larson to approve the minutes from February 25, 2021 as written. Roll was called. Harrington – Yes; Larson – Yes; Chambers – Yes; Wax – Yes. Motion carried.

New Business:

Marilyn Jean applied for a variation to allow construction of a single family dwelling on 2 acres of A-1 land located at 1480 E 1100 North, Ivesdale. Scott Jean was sworn in. His mother, Marilyn, wishes to deed 2 acres to him to build a house and garage. He will continue to farm the remainder of the ground. He said there was a home there at one time. The LESA score is high at 230.8. Harrington asked if there would be adequate room for a septic since it would be slow draining. The ZBA considered the zoning factors.

VARIATION ZONING FACTORS- Jean

1. Will the proposed use compete with the current use of the land?
Yes. The ZBA agreed (4-0) that the current use of the land is crop production, and the proposed use would compete with it.
2. Will the proposed use diminish property values in surrounding areas?
No. The ZBA agreed (4-0) that there is no evidence that it would diminish property values in the surrounding areas.
3. Would a denial of the variance promote the health, safety and general welfare of the public?
No. The ZBA agreed (4-0) that a denial would not promote the health, safety or general welfare of the public.
4. Would denying the variance create a hardship for the landowner?
No. The ZBA agreed (4-0) that it would create an inconvenience.
5. Would granting the variance create a hardship for the surrounding property owners?
No. The ZBA agreed (4-0) that granting the variance would not create a hardship for surrounding property owners.
6. Is the property suitable for its current use?
Yes. The ZBA agreed (4-0) that the property is suitable for the current use of farming.

7. Is the property suitable for the proposed use?
Yes. The ZBA agreed (4-0) that the property is suitable for the proposed use.
8. Is there a community need to deny the variance?
No. The ZBA agreed (4-0) that there is no evidence of a community need to deny the variance.
9. Is the subject property non-productive with its current use?
No. The ZBA agreed (4-0) that the property is currently productive.
10. Would a granting of this variance compete with the Piatt County Comprehensive Plan?
No. The ZBA agreed (4-0) that the variance would not compete with the comprehensive plan.

Motion: Harrington made motion, seconded by Chambers to recommend approval to the County Board. Roll was called, all in favor and the motion carried.

Sheila M. Roth applied for a variation to allow a single family dwelling on 5 acres of A1 land located at 1362 E 2850 North, Mansfield. She would like to deed 5 acres to her grandson. Tom Roth was sworn in. No ground will be taken out of production.

The ZBA considered the zoning factors.

VARIATION ZONING FACTORS- Roth

1. Will the proposed use compete with the current use of the land?
No. The ZBA agreed (4-0) that the proposed use will not compete with the current use.
The current use will not change.
2. Will the proposed use diminish property values in surrounding areas?
No. The ZBA agreed (4-0) that the proposed use would not diminish property values in the surrounding areas.
3. Would a denial of the variance promote the health, safety and general welfare of the public?
No. The ZBA agreed (4-0) that denying the variance would not promote the health, safety or general welfare of the public.
4. Would denying the variance create a hardship for the landowner?
No. The ZBA agreed (4-0) that it would create an inconvenience.
5. Would granting the variance create a hardship for the surrounding property owners?
No. The ZBA agreed (4-0) that granting the variance would not create a hardship for surrounding property owners.
6. Is the property suitable for its current use?
Yes. The ZBA agreed (4-0) that the property is suitable for the current use.

7. Is the property suitable for the proposed use?
Yes. The ZBA agreed (4-0) that the property is suitable for the proposed use.
8. Is there a community need to deny the variance?
No. The ZBA agreed (4-0) that there is no community need to deny the variance.
9. Is the subject property non-productive with its current use?
No. The ZBA agreed (4-0) that the property is not currently non-productive.
10. Would a granting of this variance compete with the Piatt County Comprehensive Plan?
No. The ZBA agreed (4-0) that the variance would not compete with the comprehensive plan.

MOTION: Larson made motion, seconded by Harrington, to recommend approval to the County Board. Roll was called, all in favor and the motion carried.

The County Board will consider both of these requests at their April 14, 2021 regular meeting.

Public Comments: None

MOTION: Harrington made motion, seconded by Chambers to adjourn. Roll was called, all in favor and the meeting adjourned at 1:24 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer