

Piatt County  
Zoning Board of Appeals

July 23, 2023

**Minutes**

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Thursday, July 27, 2023 in Room 104 of the Piatt County Courthouse. Chairman Loyd Wax called the meeting to order. The roll was read. Attending were Jim Harrington, Dan Larson, William Chambers, States Attorney Sarah Perry, and Keri Nusbaum. Kyle Lovin was absent.

County Board members in attendance: Jerry Edwards, Michael Beem, and Kathleen Piatt.

**MOTION:** Harrington made motion, seconded by Chambers to approve the minutes from June 22, 2023 as written. On voice vote, all in favor and the minutes were approved.

**Public Comments:** Alan Moore of Apex Clean Energy regarding the hearing rules and procedures.

**Old Business**

The ZBA members reviewed the ZBA Rules and Procedures with amendments as provided by Scott Kains. After discussion regarding allowing the public to include information obtained on the internet, the rules were amended. See recommended rules and procedures attached.

**Motion:** Larson made motion, seconded by Harrington, to recommend approval of the rules and procedures as revised. Roll was called, all in favor and the motion passed.

**New Business**

Clint Joesting was sworn in. He applied for a variation to allow construction of a single-family dwelling on a 5.25-acre parcel of ground located at 675 County Farm Road. The property is zoned A-1. Mr. Joesting owns this property and some of the surrounding property. The ZBA considered the zoning factors.

**VARIATION ZONING FACTORS - Joesting**

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 of the land.
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.
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 of 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 not create a hardship.
5. Would granting the variance create a hardship for the surrounding property owners?  
No. The ZBA agreed (4-0) that there was no evidence that it would 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 its 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 evidence of a community need to deny the variance.
9. Is the subject property non-productive with its current use?  
Yes. The ZBA agreed (4-0) that the property is non-productive with its current use.
10. Would a granting of this variance compete with the Piatt County Comprehensive Plan?  
No. The ZBA agreed (4-0) that a granting of the variance would not compete with the Piatt County Comprehensive Plan.

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

The County Board will consider the request at their next meeting on August 9 at 9 a.m.

**MOTION:** Harrington made motion, seconded by Larson to adjourn. On voice vote, all in favor and the meeting adjourned at 1:43 p.m.

Respectfully submitted,

Keri Nusbaum  
Piatt County Zoning Officer