

Piatt County
Zoning Board of Appeals

August 28, 2025

Minutes

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Thursday, August 28, 2025 in Room 104 of the Piatt County Courthouse. Chairperson Loyd Wax called the meeting to order. The roll was read. Jim Harrington, Kyle Lovin, Robert Chambers and Keri Nusbaum attended. Dan Larson was absent. States attorney Sarah Perry attended.

County Board members in attendance: Todd Henricks, Jerry Edwards, William Chambers, Gail Jones

The ZBA reviewed the minutes for July 24, 2025.

MOTION: Harrington made motion, seconded by Lovin, to approve the minutes from July 24, 2025 and as written. On voice vote, all in favor and the minutes were approved.

Public Comments:

Susie Johnson – objects to new homes in the country

Karen Hansen – no on Mansfield solar farm

Lynn Larson – location of solar farm

Jan Myers – objects to solar farms

Teri Tulach – oppose Mansfield solar farm

Melissa Godbee – oppose Mansfield solar farm

Andy Lawhead – against the Carroll variance; hardship of taxes, etc.

Old Business

SV CSG Madden Creek, LLC applied for a special use permit for a 5 MW AC commercial solar energy facility at 1463 E 2850 North Road, Mansfield. The application was tabled at the July meeting due to having no road use agreement in process. Ryan Fulton, from SunVest was sworn in and addressed some of the concerns brought forward in the July meeting, including planting plan, different fencing to allow debris to flow, and they have a road use agreement ready to be accepted by the county board next month. The third party engineer has reviewed the decommissioning agreement. The ZBA considered the zoning factors.

ZONING FACTORS – SV CSG Madden Creek, LLC

1. Does the current special use restriction promote the health, safety, morals, or general welfare of the public?
Yes. The property is zoned A-1 agriculture. The ZBA agreed (4-0) that the current restriction promotes the health, safety, morals and welfare of the public.
- 2 Will granting the SUP be detrimental to the safety, comfort, or general welfare of the community?
Yes. The ZBA voted (4-0) that granting the SUP may be detrimental to the safety, comfort, or welfare of the community. There are multiple comments from surrounding landowners.

3. Will granting the special use be injurious to the use and enjoyment of other property within the immediate vicinity?
Possibly. The ZBA agreed (3-0, with one abstain) that granting the special use may be injurious to other property within the immediate vicinity.
4. Will granting the special use diminish property values of other property within the immediate vicinity?
No. The ZBA agreed (4-0) that while concerns were shared there is no evidence the SUP would diminish property values in the vicinity.
5. Is there adequate infrastructure to accommodate the special use, if granted (i.e., roads, utilities, drainage)?
The ZBA agreed (4-0) that access to the project is mostly via Champaign County roads.
6. Are there adequate measures to provide ingress and egress to minimize traffic congestion in the public streets if the SUP is granted?
Yes. The ZBA agreed (4-0) that there are adequate measures in place.
7. Would the special use, if granted, be in harmony with the overall comprehensive plan of the county?
Yes. The ZBA agreed (4-0) that the special use would be in harmony.
8. Would the special use, if granted, compete with or impede the existing zoned uses of other property within the zone?
No. The ZBA agreed (4-0) that the Special Use would not impede the use of other property within the zone.
9. Would the special use, if granted, create a hardship on other landowners within the zone?
Yes. The ZBA agreed (4-0) that the landowners on the Champaign County side of the road believe it would create a hardship.
10. Would denying the special use create a hardship on the applicant?
No. The ZBA agreed (4-0) it would create an inconvenience if the owner cannot use it as he wishes.
11. Is the subject land suitable for the special use and is the subject land suitable for the current zoned use?
Yes. The ZBA agreed (4-0) that the property is suitable.
12. Is the applicant's property, as presently zoned, vacant? If so, how long has it been vacant?
Yes. The ZBA agreed (4-0) the property is vacant and is being farmed.
13. Would the special use, if granted, have a harmful impact upon the soil?
No. The ZBA agreed (4-0) that there is no evidence it would have a harmful impact on the soil.
14. What is the Land Evaluation and Site Assessment (LESA) rating for the subject land? 222.9 (medium protection) and 229.2 (highly protected)
15. Does the SUP conform to the regulations of the zoned district? The Zoning Board must find that there is a public necessity for the special use.

The ZBA agreed (4-0) that the SUP conforms to the zoned district. The ZBA agreed (4-0) that there is not a public necessity.

MOTION: Harrington made motion to recommend approval to the county board with the condition that the mowing and maintenance of grasses and weeds shall be done on a monthly basis to prevent re-seeding until seasonally unnecessary. Applicants shall control all noxious and invasive weeds, including but not limited to water hemp, palmen amaranth, and other pigweeds from the start of the project through the decommissioning of the project. Failure to maintain vegetation and non-compliance with the Piatt County nuisance ordinance may result in daily fines until corrected. Lovin seconds the motion. Roll was called; Lovin and Chambers – yes; Harrington and Wax – no. The motion did not carry.

Hammond Solar, LLC applied for a Special Use Permit for a 4.99 MW Solar energy facility at 380 N 900 East Road, Hammond. The application was tabled at the July ZBA meeting due to no drainage study or road use agreement, and the decommissioning agreement review had not been completed by the third party engineer. Rueben Grandon of GreenKey Development was sworn in and addressed those questions. The decommissioning agreement has been re-written to agree with the engineers suggestions. The road use agreement is complete. The drain tile on the property is privately owned. Seth Uphoff, attorney, and Ryan Green, of Pinion were sworn in. They referenced Appendix B which was the drainage study.

Lynn Larson was sworn in and asked questions of the applicant regarding drainage and location of the panels. The ZBA considered the zoning factors.

ZONING FACTORS – Hammond Solar

1. Does the current special use restriction promote the health, safety, morals, or general welfare of the public?
Yes. The property is zoned A-1 agriculture. The ZBA agreed (4-0) that the current restriction promotes the health, safety, morals and welfare of the public.
2. Will granting the SUP be detrimental to the safety, comfort, or general welfare of the community?
No. The ZBA agreed (4-0) that granting SUP would not be detrimental to the safety, comfort, or welfare of the community.
3. Will granting the special use be injurious to the use and enjoyment of other property within the immediate vicinity?
No. The ZBA agreed (4-0) that if the drainage concerns are addressed, granting the SUP would not be injurious to the use and enjoyment of other property in the immediate vicinity.
4. Will granting the special use diminish property values of other property within the immediate vicinity?
No. The ZBA agreed (4-0) that there is no evidence that granting the special use would diminish the property values of property in the vicinity.
5. Is there adequate infrastructure to accommodate the special use, if granted (i.e. roads, utilities, drainage)?
Yes. The ZBA agreed (4-0) that there is adequate infrastructure.

6. Are there adequate measures to provide ingress and egress to minimize traffic congestion in the public streets if the SUP is granted?
Yes. The ZBA agreed (4-0) that there is adequate ingress, egress and there should be no congestion.
7. Would the special use, if granted, be in harmony with the overall comprehensive plan of the county?
Yes. The ZBA agreed (4-0) that the use would be in harmony with the comprehensive plan.
8. Would the special use, if granted, compete with or impede the existing zoned uses of other property within the zone?
Yes. The ZBA (4-0) agreed that the special use would compete with the existing ag use.
9. Would the special use, if granted, create a hardship on other landowners within the zone?
No. The ZBA agreed (4-0) that the special use would not create a hardship on other landowners.
10. Would denying the special use create a hardship on the applicant?
No. The ZBA agreed (4-0) there would be inconvenience, but not a true hardship.
11. Is the subject land suitable for the special use and is the subject land suitable for the current zoned use?
Yes. The ZBA agreed (4-0) that the land is suitable.
12. Is the applicant's property, as presently zoned, vacant? If so, how long has it been vacant?
N/A
13. Would the special use, if granted, have a harmful impact upon the soil?
No. The ZBA agreed (4-0) that there would be no harmful impact on the soil.
14. What is the Land Evaluation and Site Assessment (LESA) rating for the subject land? 229.2
15. Does the SUP conform to the regulations of the zoned district? The Zoning Board must find that there is a public necessity for the special use.
Yes. The ZBA agreed (4-0) that it conforms. No. The ZBA agreed (4-0) that there is not a public necessity.

MOTION: Harrington made motion to recommend approval to the county board with the condition that the mowing and maintenance of grasses and weeds shall be done on a monthly basis to prevent re-seeding until seasonally unnecessary. Applicants shall control all noxious and invasive weeds, including but not limited to water hemp, palmen amaranth, and other pigweeds from the start of the project through the decommissioning of the project. Failure to maintain vegetation and non-compliance with the Piatt County nuisance ordinance may result in daily fines until corrected. Chambers seconds the motion. Roll was called; Lovin and Chambers, Harrington and Wax – Yes. The motion carried.

New Business

Janet White applied for a Variation to allow construction of a single family dwelling on a 1 acre parcel of A-1 Agriculture land located a 175 E 1600 North Road, Cisco. The family owns the entire farm parcel, and her daughter wishes to live there.

Jerry Grubaugh was sworn in. He is the contractor hired to build the home. Janet White was sworn in. The ZBA considered the zoning factors.

VARIATION ZONING FACTORS – White

1. Will the proposed use compete with the current use of the land?
Yes. The ZBA agreed (4-0) that the proposed use will compete with the current use of the land. It is currently in production.
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 create an inconvenience for the applicant.
5. Would granting the variance create a hardship for the surrounding property owners?
No. The ZBA agreed (4-0) that there is no evidence that it would create a hardship for the 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?
No. The ZBA agreed (4-0) that the property is productive with its current use. It is currently in production.
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: Lovin 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 these items at the September 10 meeting.

Danny Carroll applied for a variation to allow construction of a single family dwelling on 2.76 acres of A-1 Agriculture ground located at 1478 N 300 East Road, Cisco.

Danny Carroll was sworn in. He explained that this is not a good area to farm, it would make a pretty homesite, and he has parties interested in purchasing the site for a home. The ZBA heard an application for SUP for a minor subdivision in this area last month, and the County board did not approve the SUP as applied for but did approve the separation and sale of two lots. Harrington asked for details of the motion made by the county board. Those details were not readily available. Harrington asked SA Perry to look into the matter. She will listen to the recording, as she did not attend that meeting of the county board.

Justin Blackburn was sworn in. He says it is not a good building site, and he is against more homes and more people in the area.

Andy Lawhead was sworn in. He is concerned about increasing taxes in the area, and referenced the 20 acre rule for single family dwelling.

MOTION: Harrington made motion, seconded by Lovin to table the matter. Roll was called, all in favor and the motion carried.

Steve Gilbert of Shady Rest Materials, LLC and Thomas A Roth applied for a Special Use Permit for a sand and gravel quarry on a parcel of A-1 Agriculture land located at 1 Hollowpoint Hill, Mansfield. Thomas Roth was sworn in. They previously operated with a SUP granted in 2007, which was revoked in May 2025. They wish to continue doing business.

Piatt County zoning ordinance requires a Special Use Permit for extraction of coal, sand, gravel, oil or other materials in A-1 zoning.

John Hannah was sworn in. He is the Blue Ridge township road commissioner. The trucks hauling gravel are damaging roads. He shared various photos of the trucks on different roads.

There have been multiple complaints for the trucks running on Newton Street in Mansfield, which is a residential street, where school buses also run their route.

MOTION: Harrington made a motion to table until they are able to secure a road use agreement with the township and the county; Lovin seconded the motion. Roll was called, all in favor and the motion carried.

MOTION: Harrington made motion, seconded by Lovin to adjourn. On voice vote, all in favor and the meeting adjourned at 3:30 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer

