

Piatt County
Zoning Board of Appeals

April 23, 2026

Minutes

The Piatt County Zoning Board of Appeals met at 7:00 p.m. on Thursday, April 23, 2026 in Room 104 of the Piatt County Courthouse. Chairperson Loyd Wax called the meeting to order. The roll was read. Kyle Lovin and Robert Chambers, and Keri Nusbaum attended. Dan Larson and Jim Harrington were absent.

County Board members in attendance: Todd Henricks, Williams Chambers, Jerry Edwards.

The ZBA reviewed the minutes for February 26, 2026.

MOTION: Lovin made motion, seconded by Chambers, to approve the minutes from February 26, 2026 as written. On voice vote, all in favor and the minutes were approved

Public Comments: -None

Old Business

There has been no progress on a road use agreement for the Mansfield gravel pit.

New Business

Derick and Debra Tharp applied for a Special Use permit with a setback variation to allow construction of a second single family dwelling on a parcel of land zoned R-S located at 202 E Commercial Street, White Heath. Derick Tharp was sworn in. He was joined by his architect. He shared a proposed site plan for the house. The size and shape of the lot requires a setback variation. The other homes in the area are also closer to the street than the fifty-foot required in the Piatt County Zoning ordinance. Mr. and Mrs. Tharp would reside in the new house, while his in-laws continue to live in the existing house. The ZBA members considered the zoning factors.

ZONING FACTORS - Tharp

1. Does the current special use restriction promote the health, safety, morals, or general welfare of the public?
Yes. The ZBA voted 3-0 that the current restriction promotes the health, safety, morals and general welfare of the public.
2. Will granting the SUP be detrimental to the safety, comfort, or general welfare of the community?
No. The ZBA voted 3-0 that the SUP would not be detrimental to the safety, comfort, or general 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 3-0 that there is no evidence that the special use would be injurious to the use and enjoyment of 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 3-0 that granting the special use would not diminish property values within the vicinity.
5. Is there adequate infrastructure to accommodate the special use, if granted (i.e. roads, utilities, drainage)?
Yes. The ZBA agreed 3-0 that there is adequate infrastructure to accommodate the special use if granted.
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 3-0 that there is adequate measures to provide ingress and egress.
7. Would the special use, if granted, be in harmony with the overall comprehensive plan of the county?
Yes. The ZBA agreed 3-0 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?
No. The ZBA agreed 3-0 that there is no evidence that the special use would compete with or impede the existing uses of other property in the zone.
9. Would the special use, if granted, create a hardship on other landowners within the zone?
No. The ZBA agreed 3-0 that there is no evidence that the special use would create a hardship on the other landowners within the zone.
10. Would denying the special use create a hardship on the applicant?
No. The ZBA agreed that denying the special use would be an inconvenience for the applicant.
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 3-0 that the land is suitable for the special use.
12. Is the applicant's property, as presently zoned, vacant? If so, how long has it been vacant?
No. The property is not vacant.
13. Would the special use, if granted, have a harmful impact upon the soil?
No. The ZBA agreed 3-0 that the special use would not have a harmful impact on the soil.
14. What is the Land Evaluation and Site Assessment (LESA) rating for the subject land? N/A
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 3-0 that the SUP conforms to the regulations of the zoned district.

VARIATION ZONING FACTORS – Tharp

1. Will the proposed use compete with the current use of the land?
No. The ZBA agreed (3-0) that the proposed use will not compete with the current use of the land.
2. Is there a community need to deny the variance?
No. The ZBA agreed (3-0) that they are unaware of any community need to deny the variance.
3. Is the subject property non-productive with its current use?
N/A
4. Would a granting of this variance compete with the Piatt County Comprehensive Plan?
No. The ZBA agreed (3-0) that a granting of the variance would not compete with the Piatt County Comprehensive Plan.

Motion: Lovin made a motion to recommend approval to the County Board. Seconded by Chambers. Roll was called, all in favor and the motion passed.

The state of Illinois recently adopted the Clean and Reliable Grid Affordability Act (CRGA) (SB25) which aims for 3 GW of storage by 2030. This necessitates updating Piatt County ordinances. The ZBA reviewed the text amendment which is a stand-alone ESS ordinance which will replace the current BESS ordinance which was adopted on April 9, 2025. The ZBA reviewed the ordinance supplied by CIRMA, along with proposed changes and additions. The ZBA considered the text amendment factors.

ZONING FACTORS FOR TEXT AMENDMENTS – 5-9-2023 Zoning Ordinance

1. Does the proposed text amendment promote the health, safety, morals, or general welfare of the public
The ZBA members voted unanimously (5-0) that the proposed text amendment does not promote the health, safety, morals, or general welfare of the public.
2. Will the proposed text amendment be injurious to the use and enjoyment of other property within the immediate vicinity
The ZBA members voted unanimously (5-0) that the proposed text amendment could possibly be injurious to the use and enjoyment of other property within the immediate vicinity.
3. Will the proposed text amendment diminish property values of other property within the immediate vicinity
The ZBA members voted unanimously (5-0) that the proposed text amendment could possibly diminish property values of other property within the immediate vicinity.
4. Does the proposed text amendment take into consideration whether there is adequate infrastructure (i.e. roads, utilities, drainage)
The ZBA members voted unanimously (5-0) that the proposed text amendment does take into consideration whether there is adequate infrastructure.

5. Is the proposed text amendment in harmony with the overall comprehensive plan of the county
The ZBA members voted unanimously (5-0) that the proposed text amendment is not in harmony with the overall comprehensive plan of the county.
6. Would the proposed text amendment compete with or impede the existing zoned uses of other property within the zone
The ZBA members voted unanimously (5-0) that the proposed text amendment would compete with or impede the existing zoned uses of other property within the zone.
7. Would the proposed text amendment create a hardship on landowners within the zone
The ZBA members voted unanimously (5-0) that the proposed text amendment would create a hardship on landowners within the zone.
8. Would it create a hardship on landowners within the zone if the text amendment were not made
The ZBA members voted unanimously (5-0) that there may be an inconvenience created for some landowners within the zone if the text amendment is not made.
9. Would the proposed text amendment have a harmful impact upon the soil
The ZBA members voted unanimously (5-0) that this question is not applicable to the text amendment as written.

Motion: Lovin made a motion, seconded by Chambers to recommend the text amendment to the County board. Roll was called, all in favor and the motion carried.

The county board will consider these items at the regular meeting on May 13, 2026.

Motion: Lovin made motion, seconded by Chambers to adjourn. On voice vote, all in favor. The meeting was adjourned at 7:36 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer