

Piatt County
Zoning Board of Appeals

November 17, 2022

Minutes

The Piatt County Zoning Board of Appeals met at 5:30 p.m. on Thursday, November 17, 2022, in Rm 104 of the Piatt County Courthouse. Chairman Loyd Wax called the meeting to order. The roll was read. Attending were William Chambers, Dan Larson, Paul Foran and Keri Nusbaum. Jim Harrington and Kyle Lovin were absent.

County Board members in attendance: Ray Spencer, Gail Jones.

MOTION: Larson made motion, seconded by Chambers to approve the minutes from October 27, 2022, as written. On voice vote, all in favor and the minutes were approved.

Public Comments:

None

New Business

Ryan Heaton applied for a Variation to allow construction of a new single-family dwelling on 5.01 acres of A-1 Agriculture Land located at 1092 Bucks Pond Road, Monticello. Piatt County Zoning Ordinance requires a minimum of 20 acres for a single family dwelling in A-1 zoning. Ryan Heaton was sworn in and addressed the board members. The ZBA members considered the zoning factors.

VARIATION ZONING FACTORS - Heaton

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?
Yes. The ZBA agreed (4-0) that it would create a hardship. He was erroneously told when he bought the property that it was an approved building site.
5. Would granting the variance create a hardship for the surrounding property owners?
No. The ZBA agreed (4-0) that it would not 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?
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 to recommend approval of the variance to the County Board. Larson seconded. Roll was called, all in favor.

The County Board will consider this recommendation at the meeting on December 14.

The ZBA reviewed the proposed meeting schedule for 2023.

MOTION: Larson made motion, seconded by Foran, to approve the schedule as presented. On voice vote, all in favor and the motion carried.

MOTION: Foran made motion, seconded by Chambers to adjourn. On voice vote, all in favor and the meeting adjourned at 5:42 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer