

Piatt County Zoning Board of Appeals

March 24, 2016

Minutes

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Thursday, March 24, 2016 in Room 104 of the Courthouse. Acting Chairman Jerry Edwards called the meeting to order. The roll was read. Attending were: Jerry Edwards, Dan Larson, Alice Boylan, Dave Thompson, and Keri Nusbaum.

Keri announced there is a quorum. County Board members in attendance were: Randy Keith, Randy Shumard, Renee Freundt and Ray Spencer.

**MOTION:** Larson moved to approve the February 25, 2016 minutes as written, seconded by Alice Boylan. All in favor, motion carried.

**New Business: Variance- Schacht family**

Nusbaum read the variance request dated March 3, 2016. Hans Schacht applied for a variation to allow a single family dwelling on .731 acres of A-1 Agriculture land. Piatt County Zoning Ordinance requires a minimum of 20 acres for a single family dwelling in A-1 Zoning district.

The Board discussed the zoning factors.

1. Will the proposed use compete with the current use of the land?  
No, The Zoning Board of Appeals agreed unanimously (4-0) the proposed use will not compete with the current use, as the existing barn is unused.
2. Will the proposed use diminish property values in surrounding areas?  
No. The Zoning Board of Appeals agreed unanimously (4-0) that the proposed use will 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 unanimously (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 unanimously (4-0) that a true hardship would not exist if the variance was denied. The ZBA agreed it would create a hardship in that the landowners' desired use would be denied.
5. Would granting the variance create a hardship for the surrounding property owners? No. The ZBA agreed that there would be no hardship created, as there would be no change other than an improved appearance.
6. Is the property suitable for its current use? Yes; it is not being used at this time.
7. Is the property suitable for the proposed use? Yes; The ZBA agreed unanimously (4-0) that the proposed use was suitable.

8. Is there a community need to deny the variance? No. The ZBA agreed unanimously (4-0) that there was no evidence of a community need to deny the variance.
9. Is the subject property non-productive with its current use?  
Yes; the subject property is not in use at the current time.
10. Would a granting of this variance compete with the Piatt County Comprehensive Plan?  
The ZBA agreed unanimously (4-0) that the variance does compete with the letter of the comprehensive plan, it does not compete with the spirit of the plan. The 20 acre rule and the Comprehensive plans aim was to keep agriculture ground in production. Because this property is not and has not been in production, it will not compete.

**MOTION:** Alice Boylan moved, seconded by Dave Thompson to recommend approval of the variance to the County Board. Roll was called. All in favor, and the motion passed.

The County Board will hear the matter on April 13, 2016 at 9 a.m.

**Public Comments:** There were no public comments, as there were no audience members in attendance.

**MOTION:** Larson made motion, seconded by Boylan to adjourn. All in favor. The meeting was adjourned at 1:23 p.m.

Respectfully submitted,

Keri Nusbaum  
Piatt County Zoning Officer