

Piatt County Zoning Board of Appeals

August 24, 2017

Minutes

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Thursday, August 24, 2017 in Room 104 of the Courthouse. Chairman Loyd Wax called the meeting to order at 1:00 p.m. The roll was read and Nusbaum announced there was a quorum. Attending were: Loyd Wax, Jerry Edwards, Jim Harrington and Keri Nusbaum. Zoning Board of Appeals members not in attendance were: Dan Larson and Alice Boylan.

County Board members in attendance were: Ray Spencer, Bob Murrell, and Randy Shumard.

MOTION: Jerry Edwards made motion, seconded by Jim Harrington to approve the minutes from July 27, 2017 as written. On voice vote, all in favor, motion carried.

New Business: Variation to allow a second primary dwelling

Nusbaum read the Variation request dated June 30, 2017. Randall C Foss applied for a Variation to allow placement of a manufactured home for a second primary dwelling on 4 acres of A-1 Agriculture land located at 380 E 800 North Road, Milmine, Illinois.

Randall Foss was sworn in by Chairman Loyd Wax. He explained that they wish to place a manufactured home for his in-laws to reside in on the same property where they live.

The board discussed the well and septic situation, and made sure Mr. Foss knew he would need approval from the Health department as well. Jerry Edwards said he would recommend a condition be placed that the mobile home would need to be removed at the passing of Mr. Foss's in-laws. Also, the application indicates that the variance would go with the applicant, rather than the land.

The board discussed the zoning factors.

VARIATION ZONING FACTORS –Randall Foss

1. Will the proposed use compete with the current use of the land?
The current use is Agricultural with a residence. The Zoning Board of Appeals agreed unanimously (3-0) that the use of the land will not change therefore the proposed use will not compete with the current use of the land.
2. Will the proposed use diminish property values in surrounding areas?
It is an agriculture area. The Zoning Board of Appeals agreed unanimously (3-0) 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?
The Zoning Board of Appeals agreed unanimously (3-0) 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?
The Zoning Board of Appeals agreed unanimously (3-0) that denying the variation would create a hardship for the landowner, in that he would be unable to care for his in-laws in a convenient location.

5. Would granting the variance create a hardship for the surrounding property owners?
The Zoning Board of Appeals agreed unanimously (3-0) that there is no evidence that granting the variance would not create a hardship for the surrounding property owners.
6. Is the property suitable for its current use?
Yes. The Zoning Board of Appeals agreed unanimously (3-0) that the property is suitable for its current use.
7. Is the property suitable for the proposed use?
Yes. The Zoning Board of Appeals agreed unanimously (3-0) that the property is suitable for the proposed use.
8. Is there a community need to deny the variance?
No. The Zoning Board of Appeals agreed unanimously (3-0) that there is not a community need to deny the variance.
9. Is the subject property non-productive with its current use?
The property is not in crop production at this time. The Zoning Board of Appeals agreed unanimously (3-0) that the property is non-productive in its current use.
10. Would a granting of this variance compete with the Piatt County Comprehensive Plan?
No. The Zoning Board of Appeals agreed unanimously (3-0) that the granting of the variance would not compete with the Piatt County Comprehensive plan.

MOTION: Jerry Edwards made motion to recommend the Variation requested to the County Board, with the stipulation that when the in-laws are no longer living in the additional dwelling, it would be removed, and the variation becomes null and void. The motion was seconded by Jim Harrington. Roll was called. Edwards – Yes; Harrington – Yes; Wax- Yes; All in favor.

The County Board will hear this zoning matter at its regular meeting on September 13, 2017 at 9 a.m.

Public Comments – Nusbaum acknowledged new member Jim Harrington and thanked him for joining the ZBA.

MOTION: Jim Harrington made motion, seconded by Jerry Edwards to adjourn. Voice vote; All in favor. The meeting was adjourned at 1:24 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer