

Piatt County Zoning Board of Appeals

November 1, 2017

Minutes

The Piatt County Zoning Board of Appeals met at 7:00 p.m. on Wednesday, November 1, 2017 in Room 104 of the Courthouse. Chairman Loyd Wax called the meeting to order at 7:00 p.m. The roll was read and Nusbaum announced there was a quorum. Attending were: Loyd Wax, Jerry Edward, Jim Harrington, Dan Larson, alternate member Bruce Stoddard and Keri Nusbaum. Zoning Board of Appeals members not in attendance were: Alice Boylan.

County Board members in attendance were: Ray Spencer, Bob Murrell, Renee Freundt and Randy Keith.

MOTION: Jerry Edwards made motion, seconded by Dan Larson to approve the minutes from September 28, 2017 as written. On voice vote, all in favor, motion carried.

New Business:

The Village of Deland Illinois has applied for a Special Use Permit for a public utility at 1871 Deland Monticello Road.

Mike Burris, the project manager, was sworn in to speak for the application. He said the elevated tank the village has is leaking. They have no back up water, and the wells they have are not pumping enough water. The village tried other places by boring test holes in several locations in Section 35, however none were suitable. They have now purchased a 1 acre site from John O'Neal where they found a suitable site. They have procured a grant and a loan to pay for the project. These wells would draw from the Mahomet Water Aquifer. They have had the meetings and received permission from them. They have worked with the State Water survey as well. The village only uses about 32,000 gallons of water per day. The USDA requires redundancy which is why there are 2 wells being drilled.

Bruce Stoddard asked about the effect on wells in the other shallower aquifer, where his and others wells are located.

Jim Black was sworn in. He is a property owner concerned because he has a shallow well in the area and is concerned about water and water pressure.

Cara Stoerger was sworn in. Their well is across the road from the site. What if there is a draw down on their well? They have livestock to water.

Mr. Burris said that typically there is no area drawdown. The best available information indicates a maximum of a 3'-4' drawdown of area wells at worst.

Derek Reed was sworn in. He asked if the project was planned to allow for any growth. If the village grows, and uses more water, will that effect the neighboring wells?

He asked what the contingency is if the statistics are incorrect. Mr. Burris said that is really up to the village.

A test would be done by a third party.

Nathan Ryatt- a nearby owner, had similar concerns.

The state water survey said only the closest wells could be affected, and owners of wells within a mile had been notified.

The members of the ZBA considered the following factors:

1. Will the proposed use compete with the current use of the land? The existing used and zoning of the nearby property.
The land is zoned A-1 Agriculture. The ZBA agreed 5-1 that the use would not compete.
2. Will the proposed use diminish property values in surrounding areas? The extent to which property values are diminished by the zoning restrictions imposed.
The ZBA agreed (5-1) that there is no evidence that property values would be diminished.
3. The extent to which the reduction of property values of Applicant or other landowners promotes the health, safety, morals or general welfare of the public.
The ZBA agreed (5-1) that there is no evidence that a denial would promote the health safety or general welfare of the public.
4. The relative gain to the public as compared to the hardship imposed upon the Applicant and or adjoining landowners.
The ZBA agreed (5-1) there would be a hardship to the village as they have had a significant outlay of money and labor. The Village needs a reliable source of good water.
5. The suitability of the Applicant's property for the zoned purpose.
The ZBA agreed (5-1) that the property is suitable.
6. The length of time the property has been vacant as presently zoned.
The ZBA agreed (5-1) that this question was not applicable.

Chairman Wax said there are obviously fears and concerns.

MOTION: Bruce Stoddard made motion to recommend to the County Board with conditions that the residents within 1 ½ miles would be made whole if their wells were negatively affected by the new wells. Jerry Edwards seconded the motion.
Roll was called. Stoddard- yes; Edwards- yes; Larson- yes; Harrington- yes; Wax- yes.

This will be heard by the County Board on November 8 at 9 a.m.
The Chairman of the County Board was in attendance and noted that due to the short time between meetings, the issue may be tabled to be heard at a special meeting.

Motion: Edwards made motion to adjourn, seconded by Harrington. All in favor and the meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer