

Piatt County Zoning Board of Appeals

December 21, 2017

Minutes

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Thursday, December 21, 2017 in Room 104 of the Courthouse. Acting Chairman Jerry Edwards called the meeting to order at 1:00 p.m. The roll was read and Nusbaum announced there was a quorum. Attending were: Jerry Edwards, Jim Harrington, Dan Larson and Keri Nusbaum. Zoning Board of Appeals members not in attendance were: Alice Boylan and Loyd Wax.

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

MOTION: Jim Harrington made motion, seconded by Dan Larson to approve the minutes from November 16, 2017 as written. On voice vote, all in favor, motion carried.

New Business:

Nusbaum read the zoning request dated November 17, 2017. Mike and Jennifer Quinlan applied for a Special Use Permit to allow a Bed and Breakfast, Special Events host, and eventual U Pick flower farm on property Zoned A1 Agriculture located at 2702 N 1500 East Road, Mahomet IL. Piatt County Zoning requires a Special Use Permit for a Bed and Breakfast, and similar uses in A1 zoning.

Jennifer and Mike Quinlan were sworn in. Mrs. Quinlan explained their desire to open a bed and breakfast and a venue to host Agri-tourism events. They also plan to open a u-pick flower farm which would be open May – October. The zoning board members reviewed the summary which was submitted by the Quinlans.

James McClure was sworn in. His family owns the property across from the subject property. His family also rents and farms land in the area. He welcomed the Quinlans and gave them best wishes, but opposes the granting of the SUP. He says the area has 3 production farms, 3 landlords, and 3 tenants. He has concerns about “adding to the mix”. He said urban clientele may not understand what is involved in production farming, and he is concerned about complaints. They use sprayers and aerial application. He said this use is not a good fit for a rural setting.

Dwight Hufstuttler was sworn in. He farms to the south, and the subject property was settled by his great great grandfather. He says there is a mess in that area, and he doesn't want to add to it. He is concerned that people don't understand that farming is a dirty business. Wind blows and dirt flies when they are plowing. He said a SUP is better than a zoning change, because it is granted only to the petitioner. He said that previous owners did not understand agriculture and created problems, so he is concerned that adding another use would cause more.

Nusbaum reiterated that the SUP would be granted to and stay with the petitioner only. She also reminded both the petitioner and Mr. McClure and Mr. Hufstuttler of the Illinois Right to Farm Act, which would address some of their concerns.

Edwards is familiar with the area, and agreed that on the Champaign county side of the road, it is becoming a congested residential area.

The ZBA members had no further questions. The Zoning board discussed the factors.

1. The existing uses and zoning of nearby property.
The ZBA agreed (3-0) that all property in the area is zoned A1 Agriculture.
 2. The extent to which property values are diminished by the zoning restrictions imposed.
The ZBA agreed (3-0) that property values are not 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 that there would be no reduction of property values.
 4. The relative gain to the public as compared to the hardship imposed upon the Applicant and/or adjoining landowners.
The ZBA agreed that there may be a bit more traffic imposed upon the area by the proposed business. The relative gain would be possibly tax dollars.
 5. The suitability of the Applicant's property for the zoned purpose.
The ZBA agreed (3-0) that the property is suitable for the proposed purpose.
 6. The length of time the Applicant's property has been vacant as presently zoned.
The ZBA agreed this is not applicable. The property has not been vacant.
1. Will granting the SUP be detrimental to the safety, comfort, or general welfare of the community? The ZBA agreed (3-0) that there is no evidence it would be detrimental.
 2. Will granting the SUP not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, not substantially diminish and impair property values within the neighborhood? The ZBA agreed (3-0) that the SUP would not be injurious and would not impair property values.
 3. Will granting the SUP not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoned district? The ZBA agreed (3-0) that based on today's information there is no evidence that the SUP would impede development.
 4. Are there adequate utilities, access roads, drainage, and other facilities if the SUP is granted? The ZBA agreed (3-0) that there are adequate facilities based on today's development and traffic.
 5. Are there adequate measures to provide ingress and egress to minimize traffic congestion in the public streets if the SUP is granted?
The ZBA agreed that there are adequate measures based on information available today.
 6. Does the SUP conform to the regulations of the zoned district?
The ZBA agreed (3-0) that the proposed SUP would conform to Agriculture zoning.
 7. Does the SUP in all other respects conform to the regulations of the zoned district and the Zoning Board must find that there is a public necessity for the special use.
The ZBA agreed (3-0) that the proposed use does conform to the regulation of the A1 district. While there is not an absolute need for this use, it would be of use and enjoyment to the public.

8. Does the SUP not compete with the Piatt County Comprehensive Plan, and is it in harmony with the goals of the Piatt County Comprehensive Plan?
The ZBA agreed that because ground is not being taken from production, it is in harmony with the goals of the Piatt County Comprehensive Plan.

MOTION: Jim Harrington made motion, seconded by Dan Larson to recommend approval of the SUP to the County Board. Roll was called. Harrington- Yes, Larson – Yes, Edwards- Yes. The SUP will be forwarded to the County Board for their approval.

Public Comments- None

MOTION: Dan Larson made motion, seconded by Jim Harrington to adjourn. Voice vote; all in favor. The meeting was adjourned at 1:25 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer