

Piatt County Zoning Board of Appeals

January 29, 2018

Minutes

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Monday, January 29, 2018 in Room 104 of the Courthouse. Vice-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, Bruce Stoddard and Keri Nusbaum. Zoning Board of Appeals members not in attendance were: Alice Boylan, Loyd Wax.

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

MOTION: Jim Harrington made motion, seconded by Dan Larson to approve the minutes from December 21, 2017 and January 25, 2018 as written. On voice vote, all in favor, motion carried.

New Business:

Nusbaum read the zoning request dated January 4, 2018. John R Berbaum applied for a variation for the sale and residential use of a parcel of AC land located at 1131 Redbud Lane. Piatt County Zoning Ordinance requires 20 acres for a single family residence in AC zoning. Donald Berbaum (the petitioner's son and proposed buyer) was sworn in. He would like to build his permanent residence there, close to his parents. There was a LESA report conducted, and the zoning board members reviewed the report. The board discussed the zoning factors. He said it has not been used for crops for approximately 20 years. He would like to build on the South side of the proposed parcel.

VARIATION ZONING FACTORS –Berbaum

1. Will the proposed use compete with the current use of the land?
The ZBA agreed (4-0) that the proposed use would not compete with the current use. There are nearby subdivisions, and other residences. The land has not been in production.
2. Will the proposed use diminish property values in surrounding areas?
The ZBA agreed (4-0) that property values would not be diminished.
3. Would a denial of the variance promote the health, safety and general welfare of the public?
The ZBA agreed (4-0) that there is no evidence that a denial would promote the health, safety and general welfare of the public.
4. Would denying the variance create a hardship for the landowners?
The ZBA agreed (4-0) it would not create a hardship for the landowners. They have lived there as is for years.
5. Would granting the variance create a hardship for the surrounding property owners?
The ZBA agreed (4-0) there is no evidence that the granting of the variance would create a hardship for surrounding property owners.
6. Is the property suitable for its current use?
The ZBA agreed (4-0) the property is suitable for the current use.
7. Is the property suitable for the proposed use?
The ZBA agreed (4-0) that the property is suitable for the proposed use.

8. Is there a community need to deny the variance?
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?
The ZBA agreed (4-0) the property has not been in production and there are currently no buildings on the property.
10. Would a granting of this variance complete with the Piatt County Comprehensive Plan?
The ZBA agreed (4-0) that granting the variance would not compete with the Piatt County Comprehensive Plan.

MOTION: Dan Larson made motion, seconded by Bruce Stoddard, to recommend approval of the requested variation to the County Board.

Roll was called; Ayes – Edwards, Harrington, Larson, Stoddard. Nos- none. The motion passed.

The County Board will consider the matter at their February 14 meeting.

Public Comments – None

MOTION: Jim Harrington made motion, seconded by Dan Larson to adjourn. On voice vote; all in favor. The meeting was adjourned at 1:18 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer