

Piatt County Zoning Board of Appeals

February 22, 2018

Minutes

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Thursday, February 22, 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, 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, Robert Murrell and Randy Keith.

MOTION: Jim Harrington made motion, seconded by Bruce Stoddard to approve the minutes from January 29, 2018 as written. On voice vote, all in favor, motion carried.

New Business:

Nusbaum read the zoning request dated January 30, 2018. Jacob S Lieb applied for a Variation to allow the separation of a 2.18 acre parcel of A-1 Agricultural land from an original 33.36 acre parcel for the purposes of constructing a new single family dwelling. Piatt County Zoning Ordinance requires a minimum of 20 acres for a single family dwelling in A-1 zoning. Jacob Lieb was sworn in and said that you cannot get a Freddie Mac loan on more than 5 acres, so he is requesting a variation to separate the 2.18 acre parcel for loan purposes. His family owns ground nearby, and he and his wife intend to stay on the property.

Jerry Edwards discussed the results of the NRI report. All board members had a copy of the report. The property has a low protection score.

VARIATION ZONING FACTORS –Lieb

1. Will the proposed use compete with the current use of the land?
No. The ZBA agreed (3-0) that the proposed use will not compete with the current use of the land.
2. Will the proposed use diminish property values in surrounding areas?
No. The ZBA agreed (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?
No. The ZBA agreed (3-0) that a denial would not promote the health safety and general welfare of the public.
4. Would denying the variance create a hardship for the landowner?
Yes. The ZBA agreed (3-0) that a denial would result in the landowner not being able to use the land for the reason purchased.

5. Would granting the variance create a hardship for the surrounding property owners?
No. The ZBA agreed (3-0) that there is no evidence that granting a variance would create a hardship for the surrounding property owners.
6. Is the property suitable for its current use?
Yes. The ZBA agreed (3-0) that the property is timber and is suitable for its current use.
7. Is the property suitable for the proposed use?
Yes. The ZBA agreed (3-0) that there is housing in the immediate area and that the property is suitable for a single family dwelling.
8. Is there a community need to deny the variance?
No. The ZBA agreed (3-0) that there is no evidence of a community need to deny the variance.
9. Is the subject property non-productive with its current use?
Yes. The ZBA agreed (3-0) that the property is in timber and is nonproductive.
10. Would a granting of this variance compete with the Piatt County Comprehensive Plan?
No. The ZBA agreed (3-0) that the granting of the variance would not compete with the Comprehensive Plan.

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

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

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

Public Comments – None

MOTION: Bruce Stoddard made motion, seconded by Jim Harrington to adjourn. On voice vote; all in favor. The meeting was adjourned at 1:11 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer