

Piatt County Zoning Board of Appeals

March 22, 2018

Minutes

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Thursday, March 22, 2018 in Room 104 of the Courthouse. Vice Chairman Jerry Edwards called the meeting to order. The roll was read and Nusbaum announced there was a quorum. Attending were: Jerry Edwards, Dan Larson, Jim Harrington, Bruce Stoddard and Keri Nusbaum. Zoning Board of Appeals member not in attendance was: Loyd Wax.

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

MOTION: Dan Larson made motion, seconded by Jim Harrington, to approve the minutes from February 22, 2018 as written. On voice vote, all in favor, motion carried.

New Business: Special Use Permit

Nusbaum read the application information. W&V White Farms, LLC acting for Backyard Beauty, LLC applied for a special use permit for Home Occupation to allow hosting of workshops/events and or conducting business related to sales of carpentry, art, and/or agricultural floral products for a parcel of A1 land located at 1429 E 2000 North Road, White Heath.

Megan Murphy of Backyard Beauty, LLC was sworn in and told the members of the Zoning Board about their plans to grow and sell flowers and host workshops on their farm. Ms. Murphy and her husband Steve Collins rent the family farm from her mother and aunts and uncles. Three persons representing W&V White Farms, LLC were also in attendance.

ZONING FACTORS- W&V Farms LLC

1. Will the proposed use compete with the current use of the land?
No. The Zoning Board of Appeals agreed unanimously (4-0) that the proposed use would not compete with the current use of the land.
2. Will the proposed use diminish property values in surrounding areas?
No. The Zoning Board of Appeals agreed unanimously (4-0) that the proposed use will not diminish property values in the surrounding area. There are farms surrounding the property.
3. Would a denial of the variance promote the health, safety and general welfare of the public?
No. The Zoning Board of Appeals agreed unanimously (4-0) that the proposed use will not diminish property values.
4. Would denying the variance create a hardship for the landowner?
Yes. The Zoning Board of Appeals agreed unanimously (4-0) that it would create a hardship in that applicant would not be able to use the property for her desired purpose.
5. Would granting the variance create a hardship for the surrounding property owners?
No. The Zoning Board of Appeals agreed unanimously (4-0) that granting the application would not create a hardship for surrounding property owners. There were no objectors to the granting of the application.

6. Is the property suitable for its current use?
Yes. The Zoning Board of Appeals agreed unanimously (4-0) 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 (4-0) 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 (4-0) that there were no objectors and there is not a community need to deny the variance.
9. Is the subject property non-productive with its current use?
No. The Zoning Board of Appeals agreed unanimously (4-0) that the property is not non-productive currently.
10. Would a granting of this variance compete with the Piatt County Comprehensive Plan?
No. The Zoning Board of Appeals agreed unanimously (4-0) that the granting of this variance would not compete with the Piatt County Comprehensive Plan.
11. Will the proposed use compete with the current use of the land? The existing used and zoning of the nearby property.
The property and the surrounding properties are zoned A1 Agriculture. The Zoning Board of Appeals agreed unanimously (4-0) that there is no evidence that this use would compete with the current uses.
12. Will the proposed use diminish property values in surrounding areas? The extent to which property values are diminished by the zoning restrictions imposed.
No. The Zoning Board of Appeals agreed (4-0) that the surrounding property values would not be diminished.
13. 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 Zoning Board of Appeals agreed (4-0) that there is no evidence that property values would be diminished or health, safety, morals or general welfare would be effected.
14. The relative gain to the public as compared to the hardship imposed upon the Applicant and or adjoining landowners.
There is no evidence presented by any adjoining landowners of hardship.
15. The suitability of the Applicant's property for the zoned purpose.
The Zoning Board of Appeals agreed unanimously (4-0) that the property is suitable.
16. The length of time the property has been vacant as presently zoned.
The Zoning Board of Appeals agreed unanimously that this is not applicable.

MOTION: Jim Harrington made motion to recommend the approval of the Special Use Permit requested to the County Board, seconded by Dan Larson. Roll was called. Larson – Yes; Edwards- Yes; Stoddard- Yes. Harrington- Yes; All in favor.

The County Board will hear this zoning matter at its regular meeting on April 11 at 9 a.m.

Bruce Stoddard commented that they would need to address any concerns about parking for events. The applicant stated that any parking would be located on premises.

Randy Shumard asked if they would be requesting any additional entrances to the property, and the applicant stated she did not believe it would be necessary.

Public Comments – No further comments.

MOTION: Dan Larson made motion, seconded by Jim Harrington to adjourn. All in favor. The meeting was adjourned at 1:14 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer