

Piatt County  
Zoning Board of Appeals

August 22, 2019

Minutes

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Thursday, August 22, 2019 in Room 104 of the Courthouse. Chairman Loyd Wax called the meeting to order. The roll was read and Nusbaum announced there was a quorum. Attending were: Wax, Jerry Edwards, Jim Harrington, Kyle Lovin, and Keri Nusbaum.

County Board members in attendance were: Ray Spencer, Randy Shumard, Shannon Carroll and Dale Lattz.

**MOTION:** Jim Harrington made motion, seconded by Jerry Edwards to approve the minutes from July 22, 2019 as written. On voice vote, all in favor, motion carried.

**New Business: MMC Farms/Piatt County Service Company**

MMC Farms, acting for Piatt County Service Company applied for a Special Use permit for an Agriculture Retail facility to be located on 40 acres of A-1 ground located at 525 East Old Highway 47, Monticello. Kory Krauss, general manager of Piatt County Service Company was sworn in by Chairman Loyd Wax. They have purchased 2 large anhydrous tanks and would like to move the one that is currently in town to the larger area out of town and away from populated areas. They will put in a scale and put up a utility shed at first, in addition to locating the tanks. In the future, more of the facility could be built. The full site plan would take up about 18 acres. The rest will be test plots, or cash rented. Krauss requested to be able to move the tanks to the parcel prior to the County Board meeting on September 11. The ZBA does not have the authority to give that permission. There were no objectors. The ZBA members considered the zoning factors.

**ZONING FACTORS-MMC Farms/Piatt FS**

1. Does the current special use restriction promote the health, safety, morals, or general welfare of the public?  
The ZBA agreed (4-0) that the subject property is properly zoned for the current use.
2. Will granting the special use be injurious to the use and enjoyment of other property within the immediate vicinity?  
The ZBA agreed (4-0) that there is no evidence that granting the special use would be injurious to the use and enjoyment of other property.
3. Will granting the special use diminish property values of other property within the immediate vicinity?  
The ZBA agreed (4-0) that the other property within the vicinity is farm ground and will not be diminished.
4. Is there adequate infrastructure to accommodate the special use, if granted (i.e. roads, utilities, drainage)?  
Yes. The ZBA agreed (4-0) that the infrastructure is adequate.

5. Would the special use, if granted, be in harmony with the overall comprehensive plan of the county?  
Yes, The ZBA agreed (4-0) that the special use would be in harmony with the comprehensive plan.
6. Would the special use, if granted, compete with or impede the existing zoned uses of other property within the zone?  
No. The ZBA agreed (4-0) that the special use is Ag related and would not compete with or impede the existing uses.
7. Would the special use, if granted, create a hardship on other landowners within the zone?  
The ZBA agreed (4-0) that there is no evidence it would create a hardship on other landowners.
8. Would denying the special use create a hardship on the applicant?  
The ZBA agreed (4-0) that it may not be a hardship, but would prevent the project. The project is beneficial to safety by moving the anhydrous tank out of a populated area.
9. Is the subject land suitable for the special use and is the subject land suitable for the current zoned use?  
Yes. The ZBA agreed (4-0) that the land is suitable for both the current zoned use and the proposed special use.
10. Would the special use, if granted, have a harmful impact upon the soil?  
No. The ZBA agreed that because the proposed site will be well managed, there should be no harmful impact.
11. What is the Land Evaluation and Site Assessment (LESA) rating for the subject land?  
The LESA score is 222.

**MOTION:** Harrington made motion, seconded by Lovin to recommend approval of the SUP to the County Board. Roll was called. Harrington – Yes; Lovin-Yes; Edwards – Yes; Wax – Yes.

The County Board will consider the matter at their next regular meeting on September 11, 2019 at 9 a.m.

**Public Comments:** Mr. Wax opened the floor to public comments with a three minute limit per speaker. Sandra Smith had a prepared comment.

**MOTION** Lovin made motion, seconded by Harrington to adjourn. All in favor. The meeting was adjourned at 1:40 p.m.

Respectfully submitted,

Keri Nusbaum  
Piatt County Zoning Officer