

Piatt County
Zoning Board of Appeals

October 24, 2019

Minutes

The Piatt County Zoning Board of Appeals met at 7:00 p.m. on Thursday, October 24, 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, Renee Freundt, Bob Murrell.

MOTION: Kyle Lovin made motion, seconded by Jerry Edwards to approve the minutes from August 22, 2019 as written. On voice vote, all in favor, motion carried.

New Business: Setback variation

Petitioner Alfred Beitelman was sworn in. He would like to build a ‘she’ shed to house gardening supplies. It would be approximately 12’ x 16’ with a porch. Edwards asked why a variation is required when there is ample room on the lot. Beitelman stated there is a swale where water drains between the front yard and the lake. Lovin asked for clarification on the GIS photo as to where the building will be located. He has spoken to the neighbors and none have expressed a problem. The neighbor Estefania Villamizan was signed in to speak. She expressed concern about the location. It would be outside her bedroom window. She doesn’t think there is a drainage problem. Beitelman stated his yard is lower than hers, so some of the water from her lot drains in the area as well. Edwards asked about the possibility of moving the shed further back on the lot. Beitelman said their garden is currently in that area, and further than that the ground slopes too much. He would prefer not to place the building in the front yard, as he doesn’t believe it looks good. Lovin asked if the degree of grade was known. Beitelman said there are also several trees between the two homes and if he moved the building within the setback, water would pool. Edwards pointed out there are rules about impeding drainage as well. The ZBA members considered the variation factors.

VARIATION ZONING FACTORS-Beitelman

1. Will the proposed use compete with the current use of the land?
No. The ZBA agreed unanimously (3-0) that the proposed use would not compete with the current use.
2. Will the proposed use diminish property values in surrounding areas?
No. The ZBA agreed unanimously (3-0) that there is no evidence that property values would be diminished.

3. Would a denial of the variance promote the health, safety and general welfare of the public? The ZBA agreed unanimously (3-0) that there is no evidence that a denial would promote the health, safety or general welfare of the public.
4. Would denying the variance create a hardship for the landowner?
No. The ZBA agreed (3-0) it would be an inconvenience.
5. Would granting the variance create a hardship for the surrounding property owners? No. The ZBA agreed (3-0) it could possibly be an annoyance or inconvenience to surrounding property owners.
6. Is the property suitable for its current use?
Yes. The ZBA agreed unanimously (3-0) that the property is suitable.
7. Is the property suitable for the proposed use?
Yes. The ZBA agreed unanimously (3-0) that the property is suitable.
8. Is there a community need to deny the variance?
No. The ZBA agreed (3-0) that there is not a community need to deny the variance.
9. Is the subject property non-productive with its current use?
The ZBA agreed (3-0) that it is a residential yard.
10. Would a granting of this variance compete with the Piatt County Comprehensive Plan? No. The ZBA agreed (3-0) that a granting would not compete with the Comprehensive Plan.

MOTION: Edwards made motion, seconded by Lovin to recommend approval to the County Board for their consideration. Roll was call. All in favor.

The County Board will consider the matter at their next regular meeting on November 13, 2019 at 9 a.m.

Next item on the agenda from approval of Text Amendments to the WECS ordinance, Appendix A. The ZBA reviewed the proposed changes. There was no one signed up to speak on the subject.

MOTION: Lovin made motion, seconded by Edwards to recommend approval of the proposed Text Amendments to the County Board.

Roll was called, all in favor and the motion carried.

The ZBA reviewed the proposed changes to the fee schedule for WECS SUP applications. There were no questions.

MOTION: Edwards made motion, seconded by Lovin to recommend approval of the proposed Text Amendment to the County Board. Roll was called, all in favor and the motion carried.

Public Comments: Spencer thanked the zoning officer for her work on this update.

MOTION Lovin made motion, seconded by Edwards to adjourn. All in favor. The meeting was adjourned at 7:46 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer