

Piatt County
Zoning Board of Appeals

July 23, 2020
Minutes

The Piatt County Zoning Board of Appeals met at 1:00 p.m. on Thursday, July 23, 2020 in Room 104 of the Courthouse and via Zoom. Chairman Loyd Wax called the meeting to order. The roll was read and Nusbaum announced there was a quorum. Attending were: Wax, Jerry Edwards, Dan Larson, Jim Harrington, Kyle Lovin and Nusbaum.

County Board members in attendance via Zoom were Ray Spencer, Shannon Carroll, Dale Lattz, Renee Fruendt, and Randy Shumard. Also attending was Steve Hoffman.

MOTION: Edwards made motion, seconded by Larson to approve the minutes from May 28, 2020 as written. Roll was called, all in favor, motion carried.

New Business: Application for Special Use Permit

Renee Noice was sworn in. She applied for a Special Use Permit for home occupation for a hair salon at her home located on property zoned A1 located at 1852 N 1300 East Road, Monticello IL. They built a new home and included a dedicated space for her salon with a separate outside entrance. The salon will be called Prairie Salon. There were no objections. The ZBA members considered the zoning factors.

ZONING FACTORS-Noice

1. Does the current special use restriction promote the health, safety, morals, or general welfare of the public?
The ZBA agreed (5-0) that the subject property is properly zoned for the current use. The property is zoned A-1
2. Will granting the special use be injurious to the use and enjoyment of other property within the immediate vicinity?
The ZBA agreed (5-0) 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 (5-0) that the special use would not diminish property values.
4. Is there adequate infrastructure to accommodate the special use, if granted (i.e. roads, utilities, drainage)?
Yes. The ZBA agreed (5-0) 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 (5-0) that the special use would not conflict 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 (5-0) that the special use would not compete with or impede the zoned uses of other property.
7. Would the special use, if granted, create a hardship on other landowners within the zone?
The ZBA agreed (5-0) 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 (5-0) that it would create a hardship during this time with the COVID-19 pandemic, but perhaps not ongoing.
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 (5-0) 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 5-0 that the use would not have a harmful impact on the soil.
11. What is the Land Evaluation and Site Assessment (LESA) rating for the subject land? A LESA was not required since a building already existed on the site, and a separate building is not required for this use.

MOTION: Harrington made motion, seconded by Edwards to recommend approval to the County Board for their consideration. Roll was called. Harrington – Yes; Lovin– Yes, Edwards – Yes; Larson- Yes; Wax – Yes. All in favor.

The County Board will consider the matter at their next regular meeting on August 12, 2020 at 9 a.m.

Application for Yard Variation

Justin Blackburn applied for a yard variation to construct a 32' x 96' shed 2 feet from the side property line on a 5.95 acre A1 parcel located at 1465 N 300 East Road, Cisco IL. Linnea Blackburn was sworn in. They would like to construct a building to store cattle equipment. They may not need to be as close as 2' but cannot be 25' away without cutting trees or losing pasture. Lovin and Larson asked why the shed needs to be located so close to the line. If they put the shed on the south side, they would need to move the animals to the proposed shed location and cut down trees.

Caleb Ronquest of Liautaud Development was sworn in. Liautaud owns adjacent property. They believe the prescribed setbacks should be adhered to.

Andy Lawhead was sworn in. He and his wife are building a new home just north of the subject property. He has concerns about the variance. They chose property in the country in order to be further from neighboring buildings. He is also concerned about water shed. The area of the proposed building is in a watershed.

The ZBA members considered the zoning factors.

VARIATION ZONING FACTORS- Blackburn

1. Will the proposed use compete with the current use of the land?
No. The ZBA agreed (5-0) that the proposed use would not compete with the current use of the land. The property is zoned A1.
2. Will the proposed use diminish property values in surrounding areas?
The ZBA agreed (5-0) that there is a possibility that it could. Adjacent property owners have expressed concerns.
3. Would a denial of the variance promote the health, safety and general welfare of the public?
No. The ZBA agreed (5-0) 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?
No. The ZBA agreed (5-0) it may be an inconvenience. It appears there is room for a building elsewhere on the property.
5. Would granting the variance create a hardship for the surrounding property owners?
There are two property owners in attendance voicing concerns. The ZBA agreed (5-0) that it may create an inconvenience for surrounding property owners according to the evidence given today.
6. Is the property suitable for its current use?
Yes. The ZBA agreed (5-0) that the property is suitable for its current use.
7. Is the property suitable for the proposed use?
Yes. The ZBA agreed (5-0) that the property is suitable for the proposed use.
8. Is there a community need to deny the variance?
Yes. The ZBA agreed (5-0) that adjacent landowners have expressed that there is a need to deny the variance.
9. Is the subject property non-productive with its current use?
Yes. The ZBA agreed (5-0) that the property is not in production.
10. Would a granting of this variance compete with the Piatt County Comprehensive Plan?
No. The ZBA agreed (5-0) that the variance would not compete with the Piatt County Comprehensive Plan.

MOTION: Edwards made motion, seconded by Lovin to recommend approval to the County Board for their consideration. Roll was called. Edwards – No, Lovin – No, Harrington – No; Larson – No; Wax – No. The motion did not pass. The action is not recommended.

The County Board will consider the matter at the August 12, 2020 meeting.

Application for Yard Variation

James Yeager applied for a yard variation to allow construction of a 40' x 48' shed with a 15' rear setback on property zoned RS located at 10 Wood Drive, Monticello. James Yeager was sworn in. He would like to place a new larger shed in the same area where an existing non-conforming shed (20' x 20') was located previously. There were no objections. The ZBA considered the variation zoning factors.

VARIATION ZONING FACTORS- Yeager

1. Will the proposed use compete with the current use of the land?
No. The ZBA agreed 5-0 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 ZBA agreed 5-0 that the proposed use would not diminish property values in the area.
3. Would a denial of the variance promote the health, safety and general welfare of the public?
No. The ZBA agreed 5-0 that a denial of the variance would not promote the health, safety and general welfare of the public.
4. Would denying the variance create a hardship for the landowner?
No. The ZBA agreed 5-0 that a denial would create an inconvenience.
5. Would granting the variance create a hardship for the surrounding property owners?
No. The ZBA agreed 5-0 that granting the variance would not create a hardship for the surrounding property owners.
6. Is the property suitable for its current use?
Yes. The ZBA agreed 5-0 that the property is suitable for its current use.
7. Is the property suitable for the proposed use?
Yes. The ZBA agreed 5-0 that the property is suitable for the proposed use.
8. Is there a community need to deny the variance?
No. The ZBA agreed 5-0 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 5-0 that the property is not in production.
10. Would a granting of this variance compete with the Piatt County Comprehensive Plan?
No. The ZBA agreed 5-0 that a granting of this variance would not compete with the Piatt County Comprehensive Plan.

MOTION: Larson made motion, seconded by Harrington to recommend approval of the variation to the County Board. Roll was called. Larson – Yes; Harrington – Yes; Edwards – Yes, Lovin – Yes, Wax – Yes. The motion carried.

Public Comments: None

MOTION: Harrington made motion, seconded by Lovin to adjourn. Roll was called, all in favor and the meeting adjourned at 1:38 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer