

Piatt County
Zoning Board of Appeals

April 29, 2021
Minutes

The Piatt County Zoning Board of Appeals met at 7:00 p.m. on Thursday, April 29, 2021 in Room 104 of the Courthouse. Chairman Loyd Wax called the meeting to order. The roll was read. Attending were: Wax, Jim Harrington, Kyle Lovin, William Chambers and Keri Nusbaum. County Board members in attendance: Ray Spencer and Todd Henricks.

MOTION: Lovin made motion, seconded by Harrington to approve the minutes from March 25, 2021, as written. On voice vote, all in favor and the minutes were approved.

New Business:

Matthew and Janette Porter applied for a setback variation for an addition to a single family dwelling with a side setback of 3' on land zoned RS Residential Suburban Matthew Porter was sworn in. They would like to build a two story 12' by 20' addition to their existing home for an additional bedroom, office and garage stall. The neighbor to the east, Ray Spencer spoke and noted that when he purchased his property, it was found that the property line went through his house. Porter sold him a strip of ground to correct that. If Porter hadn't done that, he would still have the required setback. There were no objectors. The ZBA considered the zoning factors.

VARIATION ZONING FACTORS – Porter 2021

1. Will the proposed use compete with the current use of the land?
No. The ZBA agreed (4-0) that the proposed use would not change and 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 (4-0) that the proposed use would 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 (4-0) that denying the variance would not promote the health, safety, or general welfare of the public.
4. Would denying the variance create a hardship for the landowner?
The ZBA agreed (4-0) that denying the variance would create a severe inconvenience because it would require them to leave their family home.
5. Would granting the variance create a hardship for the surrounding property owners?
No. The ZBA agreed (4-0) that there is no evidence that granting the variance would create a hardship for surrounding property owners.
6. Is the property suitable for its current use?
Yes. The ZBA agreed (4-0) that the property is suitable for the current use.

7. Is the property suitable for the proposed use?
Yes. The ZBA agreed (4-0) that the property is suitable for the proposed use.
8. Is there a community need to deny the variance?
No. The ZBA agreed (4-0) 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 (4-0) that the property is not in production at this time. It is a residence.
10. Would a granting of this variance compete with the Piatt County Comprehensive Plan?
No. The ZBA agreed (4-0) that the granting of the variance would not compete with the comprehensive plan.

Motion: Harrington made motion, seconded by Chambers to recommend approval of this variance to the county board. Roll was called. Harrington – Yes; Chambers – Yes; Lovin – Yes; Wax – Yes. All in favor and the motion passed.

The County Board will consider this item at their May 12, 2021 regular meeting.

Public Comments: None

MOTION: Harrington made motion, seconded by Lovin to adjourn. On voice vote, all in favor and the meeting adjourned at 7:17 p.m.

Respectfully submitted,

Keri Nusbaum
Piatt County Zoning Officer