

## **Everette Variation**

On May 3, 2018, W. Allen Everette, trustee for The Patricia E. Everette Trust, applied for a Variation to allow construction of a new single family dwelling with accessory buildings on 5.89 acres of A-1 Agriculture land at 1441 CR 2250 North, White Heath.

Piatt County Zoning Ordinance requires a minimum of 20 acres for a single family dwelling in A-1 zoning.

The \$200 variation application fee has been paid, all adjacent property owners were given notice pursuant to statute and the legal notice was published in the Piatt County Journal pursuant to statute.

The Findings of Fact were discussed and agreed upon by the Zoning Appeals Board on May 24, 2018 and the Board unanimously voted (5-0) to recommend the approval of W. Allen Everette's request for variation.

The County Board considered the matter on June 13, 2018 and voted to approve the variation.

Mr. Everette's plans changed and the plat has been adjusted to reflect those changes. The ordinance granting variation to correct the legal description was heard by the County board on April 10, 2019 and was referred to the ZBA for review.

**Are there any questions?**

LEGAL NOTICE

PIATT COUNTY  
ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on May 23, 2019 at 7:00pm in the Piatt County Courthouse, Monticello, Illinois, a public hearing will be held on the Application of W. Allen Everette, trustee for The Patricia E. Everette Trust, asking for a variation for property described as: Part N ½ of the SE ¼ of the NW ¼ of Section 12, Township 19 North, Range 6 East of the Third Principal Meridian, Piatt County, Illinois  
PIN #part of 06-12-19-006-009-00

Address: 1441 CR 2250 North, White Heath

Metes & bounds description and application are available for review in Room 105, Piatt County Courthouse.

The present classification of the above property is A-1 Agriculture

The petitioner seeks a variation to allow construction of a single family dwelling with accessory buildings on 5.89 acres of A-1 ground.

*All persons in attendance at the hearing shall have an opportunity to be heard. Any person who also wishes to appear as an "interested party" with the right to cross examine others at the hearing must complete and file an appearance with the Piatt County Zoning Officer before the beginning of the hearing. Appearance forms are available at the Zoning office, 101 W. Washington St.*

Keri Nusbaum, Piatt County Zoning Officer

Loyd Wax, Chair, Zoning Board of Appeals

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Please run one time on May 1, 2019

To the Applicant:

- It is your responsibility to have this Legal Notice published in an appropriate news publication, exactly as set forth above.
- We recommend that this legal notice be published in the Piatt County Journal Republican.
- Deadline for the Piatt County Journal Republican for Legal Notices is Friday noon, prior to Wednesday publication.
- Piatt County Journal Republican will require you to pay a fee of \$30 (standard description) \$45 (extended description) prior to publishing this notice.
- Piatt County Journal Republican will provide to Piatt County Zoning Office a Certificate of Publication for the Legal Notice, at the following address:

Piatt County Zoning Office

Keri Nusbaum, Zoning Officer

101 W. Washington Street, Room 105

RE: Everette 2019

Your failure to publish this Legal Notice within the time required or in an inappropriate news publication may result in your application for variation or special use permit not being heard by the Zoning Board of Appeals as scheduled.

I understand my responsibilities in this matter.

Applicant

date

W. Allen Everette

4-10-2019

correct

**Legal Description - Tract 102**

A part of the North Half of the Southeast Quarter of the Northwest Quarter of Section 12, Township 19 North, Range 6 East of the Third Principal Meridian, Piatt County, Illinois being more particularly described as follows with bearings based on Illinois State Plane (East) NAD 83 datum:

Beginning at an iron rod monument found at the Northwest corner of the North Half of the Southeast Quarter of the Northwest Quarter of Section 12, Township 19 North, Range 6 East of the Third Principal Meridian proceed North  $89^{\circ} 48' 40''$  East 30.00 feet along the North line of said North Half of the Southeast Quarter of the Northwest Quarter and the South line of a Plat of Survey recorded in Plat Book 12 at Page 256 in the Office of the Recorder for Piatt County, Illinois to an iron rod monument; thence South  $00^{\circ} 11' 39''$  West 332.29 feet along a line 30.00 feet East of and parallel to the West line of said North Half of the Southeast Quarter of the Northwest Quarter of Section 12 to an iron rod monument; thence North  $89^{\circ} 48' 40''$  East 721.51 feet along a line parallel to the North line of said North Half of the Southeast Quarter of the Northwest Quarter of Section 12 to an iron rod monument; thence South  $00^{\circ} 11' 39''$  West 328.57 feet along a line parallel to the West line of said North Half of the Southeast Quarter of the Northwest Quarter of Section 12 to an iron rod monument located on the South line of said North Half of the Southeast Quarter of the Northwest Quarter of Section 12; thence South  $89^{\circ} 52' 33''$  West 751.51 feet along said South line of the North Half of the Southeast Quarter of the Northwest Quarter of Section 12 to an iron rod monument found marking the Southwest corner of said North Half of the Southeast Quarter of the Northwest Quarter of Section 12; thence North  $00^{\circ} 11' 39''$  East 660.02 feet along the West line of said North Half of the Southeast Quarter of the Northwest Quarter of Section 12 to the Point of Beginning, encompassing 5.89 acres, more or less. Said tract also being a part of Tracts 1 and 2 of Everette Subdivision recorded in Book 15 at Page 162 in the office of the Piatt County, Illinois Recorder of Deeds.





### VARIATION ZONING FACTORS- Everett

1. Will the proposed use compete with the current use of the land?  
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?  
The ZBA agreed (5-0) that property values would not be diminished and may in fact be increased.
3. Would a denial of the variance promote the health, safety and general welfare of the public?  
The ZBA agreed (5-0) that a denial 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 (5-0) that denying the variance would not create a hardship, but an inconvenience as he has invested in the property to be near family.
5. Would granting the variance create a hardship for the surrounding property owners?  
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?  
The ZBA agreed (5-0) that the property is suitable for its current use.
7. Is the property suitable for the proposed use?  
The ZBA agreed (5-0) that the property is suitable for the proposed use.
8. Is there a community need to deny the variance?  
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?  
The ZBA agreed (5-0) that the property is non-productive with its current use.
10. Would a granting of this variance compete with the Piatt County Comprehensive Plan?  
The ZBA agreed (5-0) that granting the variance would not compete with the Piatt County Comprehensive Plan.