

Zoning Commission Minutes

April 26, 2012
3:00 pm

Chairman Russ Hoff called the meeting of the Stark County Zoning Commission to order. Gene Jackson, Joe Frenzel, Jay Elkin, Chairman Hoff, Duane Grundhauser, Sue Larsen, Kurt Froelich and Larry Messer present, Chuck Steffan absent. Also present were Zoning Director Diane Brines and Auditor Kay Haag.

Sue Larsen moved to approve the minutes from the March 29th, 2012 meeting. Duane Grundhauser seconded. All voted Aye and motion carried.

Chairman Hoff opened the public hearing on a request from Steffes Corporation. The request was for a zoning change from Agricultural to Industrial to conform to the area. The location being in the S2NW4 Section 3, Township 140, Range 96 containing 15 acre tract and an 11 acre tract. Chairman Hoff asked for anyone to speak for or against the zoning change. Chairman Hoff closed the public hearing.

Jay Elkin made a motion to recommend to the Stark County Board of Commissioners the approval of a zoning change from Agricultural to Industrial for Steffes Corporation. Joe Frenzel seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Hoff opened the public hearing on a request from Kevin Abernathy with Wadsworth Brother's Construction Company. The request was for a Conditional Use Permit to stage a temporary concrete batch plant to be used on a State project east of Dickinson to east of Heart River separation. Completion date is October 13, 2012. The location being on the Anton Biel property in the SW4 Section 8, Township 139, Range 94 and the Mary Haich property in the NW4 Section 8, Township 139, Range 94. Chairman Hoff asked for anyone to speak for or against the zoning change. Chairman Hoff closed the public hearing.

Joe Frenzel made a motion to recommend to the Stark County Board of Commissioners the approval of a Conditional Use Permit for Wadsworth Brother's Construction Company. Gene Jackson seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Hoff opened the public hearing on a request from Dan Obrigewitch. The request was for a Conditional Use Permit for two to three truck parking spots with a mobile home for living quarters. The location being in the NE4 Section 17, Township 140, Range 99 containing approximately two acres. Chairman Hoff asked for anyone to speak for or against the zoning change. Chairman Hoff closed the public hearing.

Sue Larsen made a motion to recommend to the Stark County Board of Commissioners the approval of a Conditional Use Permit for Dan Obrigewitch. Larry Messer seconded. Roll call vote. Chairman Hoff, Duane Grundhauser, Kurt Froelich, Sue Larsen and Larry Messer voted Aye. Gene Jackson, Joe Frenzel and Jay Elkin voted Naye. Motion carried.

Chairman Hoff opened the public hearing on a request from Chad Good. The request was for a zoning change from Agricultural to Residential/Agricultural. The location being on a tract of land in the S2SW4 Section 36, Township 140, Range 95 containing a

1.5 acres. Chairman Hoff asked for anyone to speak for or against the zoning change. Chairman Hoff closed the public hearing.

Jay Elkin made a motion to recommend to the Stark County Board of Commissioners the approval of a zoning change from Agricultural to Residential/Agricultural for Chad Good. Duane Grundhauser seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Hoff opened the public hearing on a request from Diamond B Companies. The request was for a zoning change from Agricultural to Industrial for a truck maintenance facility to support Tesoro Logistics LP truck fleet. The location being on the west side of Lot 4 in the NW4 Section 3, Township 140, Range 96. Chairman Hoff asked for anyone to speak for or against the zoning change. Ralph Privratsky voiced concerns regarding the SW Water pipeline. Chairman Hoff closed the public hearing.

Jay Elkin made a motion to recommend to the Stark County Board of Commissioners the approval of a zoning change from Agricultural to Industrial contingent on a subdivision plat, dust control and paved access to the facility, parking area and the turn-around loop for Diamond B Companies. Gene Jackson seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Hoff opened the public hearing on a request from AES Drilling Fluids, LLC. The request was for a Conditional Use Permit within an Industrial area to install a diesel based drilling fluid plant and storage warehouse. The location being on Lot 7 Norwegian Creek Subdivision of Section 16, Township 139, Range 99. Chairman Hoff asked for anyone to speak for or against the zoning change. Byron Richard spoke for the Conditional Use Permit. Dennis Richard voiced concerns regarding spill prevention control and dust control. Chairman Hoff closed the public hearing.

Jay Elkin made a motion to recommend to the Stark County Board of Commissioners the approval of a Conditional Use Permit contingent on all permits are obtained from the State and reviewed by States Attorney Tom Henning for AES Drilling Fluids, LLC. Joe Frenzel seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Hoff opened the public hearing on a request from Bar S Services Inc. The request was for a Conditional Use Permit to place five mobile homes for workforce housing. The location being on Tract 14 Norwegian Creek Subdivision in Section 16, Township 139, Range 99. Chairman Hoff asked for anyone to speak for or against the zoning change. Byron Richard spoke for the Conditional Use Permit. Chairman Hoff closed the public hearing.

Sue Larsen made a motion to recommend to the Stark County Board of Commissioners the approval of a Conditional Use Permit for five mobile homes with the following conditions:

1. Units to be placed 20' apart.
2. Provide adequate parking for any and all crew housing facility residents.
3. Provide for adequate fire suppression.
4. Provide for adequate access to emergency vehicles and each unit marked with reflective type numbers.
5. Meet all design standards required by any building code and fire code.
6. Comply with waste water rules with Southwest District health.
7. Any fees on these conditions will be paid by the applicant.
8. There will be a \$400 fee per unit per year.

for Bar S Services Inc. Kurt Froelich seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Hoff opened the public hearing on a request from Ryan Holzapfel, Lufkin Industries Inc. The request was for a Conditional Use Permit for workforce housing. The location being in the NE4 of Lot 1 Block 1 Replat of Reiter's Subdivision Section 9, Township 140, Range 96 containing 2.3 acres. Chairman Hoff asked for anyone to speak for or against the zoning change. Chairman Hoff closed the public hearing.

Gene Jackson made a motion to recommend to the Stark County Board of Commissioners the denial of a Conditional Use Permit for Lufkin Industries Inc. No second. Motion failed. Jay Elkin made a motion to recommend to the Stark County Board of Commissioners the approval of a Conditional Use Permit contingent on and acceptable drawing and the following conditions:

1. Units to be placed 20' apart.
2. Provide adequate parking for any and all crew housing facility residents.
3. Provide for adequate fire suppression.
4. Provide for adequate access to emergency vehicles and each unit marked with reflective type numbers.
5. Meet all design standards required by any building code and fire code.
6. Comply with waste water rules with Southwest District health.
7. Any fees on these conditions will be paid by the applicant.
8. There will be a \$400 fee per unit per year.

for Lufkin Industries Inc. Sue Larsen seconded. Roll call vote. All voted Aye except Gene Jackson voted Naye. Motion carried.

Chairman Hoff opened the public hearing on a request from Dennis Richard. The request was for a zoning change from Agricultural to Heavy Commercial. The location being a tract in the SE4 Section 29, Township 139, Range 99 containing 36.41 acres and to be known as Richard Subdivision. Chairman Hoff asked for anyone to speak for or against the zoning change. Chairman Hoff closed the public hearing.

Jay Elkin made a motion to table the zoning change from Agricultural to Heavy Commercial for Dennis Richard until the next zoning meeting. Duane Grundhauser seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Hoff opened the public hearing on a request from Mike Boyd. The request was for a replat of Lot 9 in Norwegian Creek Subdivision into four lots with each containing 18 plus acres and a Conditional Use Permit for workforce housing for approximately 15 temporary mobile homes. The location being in the E2 of Lot 12 Section 16, Township 139, Range 99 containing 7.5 acres. Chairman Hoff asked for anyone to speak for or against the zoning change. Byron Richard spoke in favor of the zoning change. Dennis Richard voiced concerns regarding policing. Chairman Hoff closed the public hearing.

Jay Elkin made a motion to recommend to the Stark County Board of Commissioners the approval for a replat of Lot 9 in Norwegian Creek Subdivision into four lots with each containing 18 plus acres and a Conditional Use Permit for workforce housing for approximately 24 temporary mobile homes with the following conditions:

1. Units to be placed 20' apart.
2. Provide adequate parking for any and all crew housing facility residents.
3. Provide for adequate fire suppression.
4. Provide for adequate access to emergency vehicles and each unit marked with reflective type numbers.

5. Meet all design standards required by any building code and fire code.
6. Comply with waste water rules with Southwest District health.
7. Any fees on these conditions will be paid by the applicant.
8. There will be a \$400 fee per unit per year.

for Mike Boyd. Duane Grundhauser seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Hoff opened the public hearing on a request from Manage Team Zephyr. The request was for a Conditional Use Permit for workforce housing for approximately 15 RV's. The location being in the east portion of Lot 11 Norwegian Creek Subdivision SE4 Section 16, Township 139, Range 99 containing 7.4 acres. Chairman Hoff asked for anyone to speak for or against the zoning change. Chairman Hoff closed the public hearing.

Joe Frenzel made a motion to recommend to the Stark County Board of Commissioners the approval of a Conditional Use Permit for workforce housing for approximately 15 RV's with the following conditions:

1. Units to be placed 20' apart.
2. Provide adequate parking for any and all crew housing facility residents.
3. Provide for adequate fire suppression.
4. Provide for adequate access to emergency vehicles and each unit marked with reflective type numbers.
5. Meet all design standards required by any building code and fire code.
6. Comply with waste water rules with Southwest District health.
7. Any fees on these conditions will be paid by the applicant.
8. There will be a \$400 fee per unit per year.

for Manage Team Zephyr. Jay Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Jay Elkin moved to adjourn. Duane Grundhauser seconded.