

Zoning Commission Minutes

August 28, 2014
3:00 pm

Chairman Russ Hoff called the meeting of the Stark County Zoning Commission to order. Chairman Hoff, Klayton Oltmanns, Kurt Froelich, Duane Grundhauser, Gene Jackson and Larry Messer present and absent were Jay Elkin and Sue Larsen. Also present were Planner Steve Josephson, and Auditor Kay Haag.

Kurt Froelich moved to approve the minutes from the July 31, 2014 meeting. Klayton Oltmanns seconded. All voted Aye and motion carried.

Chairman Hoff opened the public hearing on a request from Thomas Hutzenbiler. The request is for a zoning change from Agricultural to Agricultural Residential located in the NW4 of Section 9, Township 137, Range 99 containing approximately 20 acres. Chairman Hoff asked for anyone to speak for or against the zoning change. Chairman Hoff closed the public hearing.

Kurt Froelich moved to recommend to the Stark County Board of Commissioners the approval of the zoning change from Agricultural to Agricultural Residential following staff recommendations for Thomas Hutzenbiler. Gene Jackson seconded. Roll call vote. All voted Aye and the motion carried.

STAFF RECOMMENDATION: Approval of the proposed rezoning based upon the following finding:

- The proposed rezoning is consistent with the development pattern in the vicinity.

The request is consistent with the following objectives of the Stark County Comprehensive Plan:

- LAND USE-Strive to protect the agricultural integrity of rural areas; and
- LAND USE-Avoid conflicts between land uses.

Chairman Hoff opened the public hearing on a request from Phillip J Wallace. The request is for a zoning change from Agricultural to Industrial located Lot 4, of Section 2, Township 140, Range 96 containing approximately 40 acres. Chairman Hoff asked for anyone to speak for or against the zoning change. Keary Kadrmas, Char Kadrmas and Doris Hoff spoke for the zoning change. Ralph Privratsky voiced concerns regarding roads. Lisa Pavlicek spoke against the zoning change and voiced concerns regarding roads, traffic, safety and preserving the wildlife. Chairman Hoff closed the public hearing.

Gene Jackson moved to recommend to the Stark County Board of Commissioners the denial of the zoning change from Agricultural to Industrial following staff recommendations for Phillip J Wallace. Klayton Oltmanns seconded. Roll call vote. All voted Aye and the motion carried.

STAFF RECOMMENDATION: Denial based upon the following reasons:

- The proposed rezoning is not consistent with the zoning pattern in the vicinity of the site;
- The proposed rezoning is not consistent with the emerging development pattern in the area; and
- The proposed rezoning would allow for uses that are generally not comparable to the uses found in the general vicinity of the site;

The request is not consistent with the following objectives of the Stark County Comprehensive Plan:

1. LAND USE-Strive to protect the agricultural integrity of rural areas; and
2. LAND USE-Avoid conflicts between land uses.

The request is not consistent with the following policies of the Stark County Comprehensive plan:

- LAND USE-Stark County supports protecting farming practices from contrasting interests of non-farm residents and businesses.
- LAND USE-Stark County supports the prohibition of the approval of spot zoning except at established farmsteads or other sites which meet the county's requirements.
- ECONOMIC DEVELOPMENT-Stark County supports the land use and zoning designation of an adequate supply of commercial and industrial land as needed to attract quality business and industrial development within the County. In particular this type of growth should be directed not only to areas adjacent to Dickinson but also to the rural business centers adjacent to the I-94 corridors surrounding Richardton and Belfield and the Highway 10 corridor between Dickinson and South Heart.

Klayton Oltmanns moved to adjourn. Larry Messer seconded.