

Zoning Commission Minutes

December 27th, 2012

3:00 pm

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

Jay Elkin moved to approve the minutes from the November 29, 2012 meeting. Larry Messer seconded. All voted Aye and motion carried.

Chairman Hoff opened the public hearing on a request from Richard Barnard. The request was for a zoning change from Agricultural to Rural Residential on Government Lot 2 of Section 6, Township 140, and Range 95 containing approximately 42.5 acres. Chairman Hoff asked for anyone to speak for or against the zoning change. Lunette Hondl questioned if it was to be one residence or more. Chairman Hoff closed the public hearing.

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

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

Prior to obtaining a building permit, the developer shall plat the subject property in accordance with the Stark County Subdivision regulations.

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.

Jay Elkin moved to recommend to the Stark County Board of Commissioners the approval of a zoning change from Agricultural to Rural Residential following the staff recommendations for Richard Barnard. Larry Messer seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Hoff opened the public hearing for the proposed amendments to the Stark County Zoning Ordinance as adopted on October 2, 2012. Chairman Hoff asked for anyone to speak for or against the zoning amendments. Chairman Hoff closed the public hearing.

If approved, Article VII: Subdivision Regulations, would be amended to include the following language:

7.26 Dedications

In connection with the approval of a final plat, the developer shall be required to dedicate any lands and required improvements according to the provisions of this Code, and may be required to dedicate other land and improvements for circulation, stormwater

management, drainage, utilities, open space, schools, fire service, public safety and law enforcement protection, park land and other appropriate public needs related to the development.

STAFF RECOMMENDATION: Approval of the proposed amendment to Article VI of the Stark County Zoning Ordinance is based upon the following findings:

- As stated in Article VI of the Stark County Zoning Ordinance, the intent of the County's Subdivision Regulations, among other things, is to "... provide for adequate and convenient open spaces for traffic, utilities, firefighting, recreation, light and air" as well as to "...facilitate adequate provisions for access, placement of public non-profit and for profit utilities, schools, and public open spaces." Adoption of the proposed section on dedications helps to meet the intent of Article VI.

The proposed Stark County Zoning Ordinance amendment is consistent with the following objective of the Stark County Comprehensive Plan:

- LAND USE- Provide for proper growth management practices.

The proposed amendments are consistent with the following implementation strategy of the Stark County Comprehensive Plan:

- GOVERNMENTAL- Stark County supports the periodic review of county codes and ordinances to ensure their current relevancy.

Klayton Oltmanns moved to recommend to the Stark County Board of Commissioners the approval of the amendments to the Stark County Zoning Ordinance. Duane Grundhauser seconded. Roll call vote. All voted Aye and the motion carried.

Steve Josephson, County Planner, discussed the following items:

- Stark County Website
- Special Assessment Ordinance
- Highway 10 Corridor
- Educating the public regarding zoning
- Enforcement of Public Nisance

Jay Elkin moved to adjourn. Duane Grundhauser seconded.