

Stark County Planning and Zoning Commission Minutes

January 7, 2019
3:00 PM

County Commissioner Carla Arthaud called the meeting of the Stark County Planning and Zoning Commission to order. Carla Arthaud, Dean Franchuk, Scott Decker, Kurt Froelich, Daneen Dressler, Byron Richard, and Sarah Trustem were present. Also present were County Planner Steve Josephson, States Attorney Tom Henning and Nicole Roberts of the Auditor's office.

The first item of business was the election of officers. Dean Franchuk was elected as Chair and Carla Arthaud was elected as Vice Chair.

Kurt Froelich moved to approve the minutes from the November 29, 2018 meeting. Carla Arthaud. All voted Aye and motion carried.

Chairman Franchuk opened the public hearing for **CUP 06-18 Chelle Eischens of Performance Development Group**. The request is for a conditional use permit for a 330-foot telecommunications tower on a parcel located in the SW4 of Section 34, Township 140, Range 97 containing approximately 150.030 acres on a lease area of approximately 8.26 acres.

Chairman Franchuk asked anyone to speak either for or against the conditional use permit. Chairman Franchuk closed the public hearing.

Kurt Froelich moved to recommend to the Stark County Board of Commissioners the approval for the conditional use permit for a 330 foot telecommunications tower on a parcel located in the SW4 of Section 34, Township 140, Range 97 containing approximately 150.030 acres on a lease area of approximately 8.26 acres following staff recommendations for CUP 06-18 Chelle Eischens of Performance Development Group.

Scott Decker seconded. All voted Aye and motion carried.

STAFF RECOMMENDATION: Approval of the proposed conditional use based upon the following findings:

1. The location of the proposed project should not adversely impact the existing uses in the vicinity; and
2. The conditional use shall be limited through the inclusion of the following conditions:
 - a. **Development shall be limited to a guyed telecommunications tower, equipment building, generator, accessory equipment, and accessory structures to protect communications equipment on site;**
 - b. **The maximum height of the radio tower shall be limited to 330 feet;**
 - c. **The location of the tower and accessory buildings shall be as shown on the drawings received by Stark County on December 6, 2018;**
 - d. **The tower shall allow for co-location of four additional providers;**
 - e. **Development of the radio tower shall be performed in accordance with Chapter 6.23 of the Stark County Zoning Ordinance as well as with all applicable County, State and Federal rules and regulations; and**

- f. **Any proposed change of use of the tower, increase in height or change of location shall require a hearing before the Stark County Planning and Zoning Board and approval as well as approval from the Stark County Commission; and**
- g. **The service provider shall report to the Zoning Administrator if the telecommunications tower facility is no longer in use. The telecommunications tower facility shall be removed, at the service provider's expense, within six (6) months of this notice and the site shall be restored by the service provider to its pre-existing condition.**

The subject property is currently zoned Agriculture. As the surrounding area is undeveloped and appears to be in agricultural use, the proposed conditional use is consistent with the following objective of The Stark County Comprehensive Plan:

- **LAND USE-Avoid conflict between land uses.**

Planner items:

Chairman Dean Franchuk, Vice Chairman Carla Arthaud, Kurt Froelich, and Daneen Dressler were selected for the Planning and Zoning Commissioner Applicant Interview committee, with Planner Steve Josephson serving as a non-voting member. The committee will conduct interviews and recommend a replacement to the County Commission.

Byron Richard moved to adjourn.