

STARK COUNTY
PLANNING AND ZONING COMMISSION MEETING
STARK COUNTY COURTHOUSE COMMISSIONER'S ROOM

JULY 30, 2020

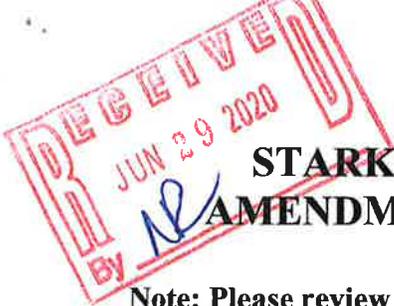
CALL TO ORDER-3:00 p.m.

1. Minutes
2. Public Hearing for RZ 02-20-Mike Findlay is requesting a rezoning from Agricultural Residential to Rural Residential on Lot 2 Block 5 of the Antelope Subdivision with an address of 3819 82W Avenue SW located in the NW ¼ of Section 17, Township 139, Range 91 containing approximately 15.46 acres.
3. MSP 01-20-Mike Findlay is requesting a Minor Subdivision Plat of the Findlay Subdivision described as the replat of Lot 5 Block 2 of Antelope Subdivision in the NW ¼ of Section 17, Township 139, Range 91 containing approximately 15.46 acres.
4. Public Hearing-ZTA 01-20-Amendments to Article III: General Provisions, and Article V: Zoning District Regulations of the Stark County Zoning Ordinance as adopted on October 2, 2012 regarding residential accessory structures.
5. Public Hearing-ZTA 02-20-Amendments to Article II Rules and Regulations: Article III: General Provisions, and Article V: Zoning District Regulations of the Stark County Zoning Ordinance as adopted on October 2, 2012 regarding accessory dwelling units.
6. Planner Items

Applications for the requests are available for public inspection at www.starkcountynynd.gov

Any public hearings shall be commenced by the Chair of the Stark County Planning and Zoning Commission and each hearing shall continue until closed by the Chair.

RZ 02-20



**STARK COUNTY NORTH DAKOTA ZONING MAP
AMENDMENT APPLICATION-STANDARD REZONING**

Note: Please review the "What is Zoning" Rezoning Application Directions prior to filling out this application

DATE OF APPLICATION 6-22-2020

CURRENT ZONING Agricultural-Residential REQUESTED ZONING Rural-Residential

APPLICATION FEE: \$200

APPLICANT INFORMATION

Name Mike Findlay

Address 3819 82W Ave SW

City Richardton State ND Zip 58652

Phone No.: 678-205-6844 Fax No.: _____

E-mail Address: Mafindlay@yahoo.com

REPRESENTATIVE INFORMATION (IF APPLICABLE)

Name _____

Address _____

City _____ State _____ Zip _____

Phone No. _____ Fax No.: _____

E-mail Address: _____

PROPERTY OWNER INFORMATION IF DIFFERENT FROM THE APPLICANT

Name _____

Address _____

City _____ State _____ Zip _____

Phone No. _____ Fax No. _____

**STARK COUNTY NORTH DAKOTA ZONING MAP
AMENDMENT APPLICATION-STANDARD REZONING**

E-mail Address Mafindlay@yahoo.com

PROPERTY INFORMATION

Property Size: 15.46 acres

Address: 3819 82W Ave SW

City Richardton

State ND

Zip 58652

Legal Description as it appears on stark.northdakotaassessors.com:

NW 1/4 Section 17, Township 139 North, Range 91 West of the 5th P.M., Block 2 Lot 5

Parcel Identification Number as it appears on stark.northdakotaassessors.com:

03-3970-02000-500

Please describe the proposed rezoning and the reason for the request. We would like to rezone our 15.46 acre agricultural-residential plot into a minor subdivision containing one 10.00 acre rural-residential plot, and one 5.46 acre rural-residential plot.

What uses are proposed for the property?

The minor subdivision with two plots zoned as rural-residential will be strictly for residential use. Our current home will be on the 10.00 acre plot, and the 1400 sq ft. home my parents are hoping to build will be on the 5.46 acre plot.

What buildings or structures are proposed for the property?

Our current home will be on the 10.00 acre plot, and the 1400 sq ft. home my parents are hoping to build will be on the 5.46 acre plot. There will be no other structures on either lot.

APPLICANT REQUESTS AN INITIAL REVIEW BY STARK COUNTY STAFF, A PUBLIC HEARING BEFORE THE COUNTY PLANNING AND ZONING COMMISSION, AND THE APPROVAL OF THE AMENDMENT REQUESTED HEREIN.

SIGNATURES

6-22-2020

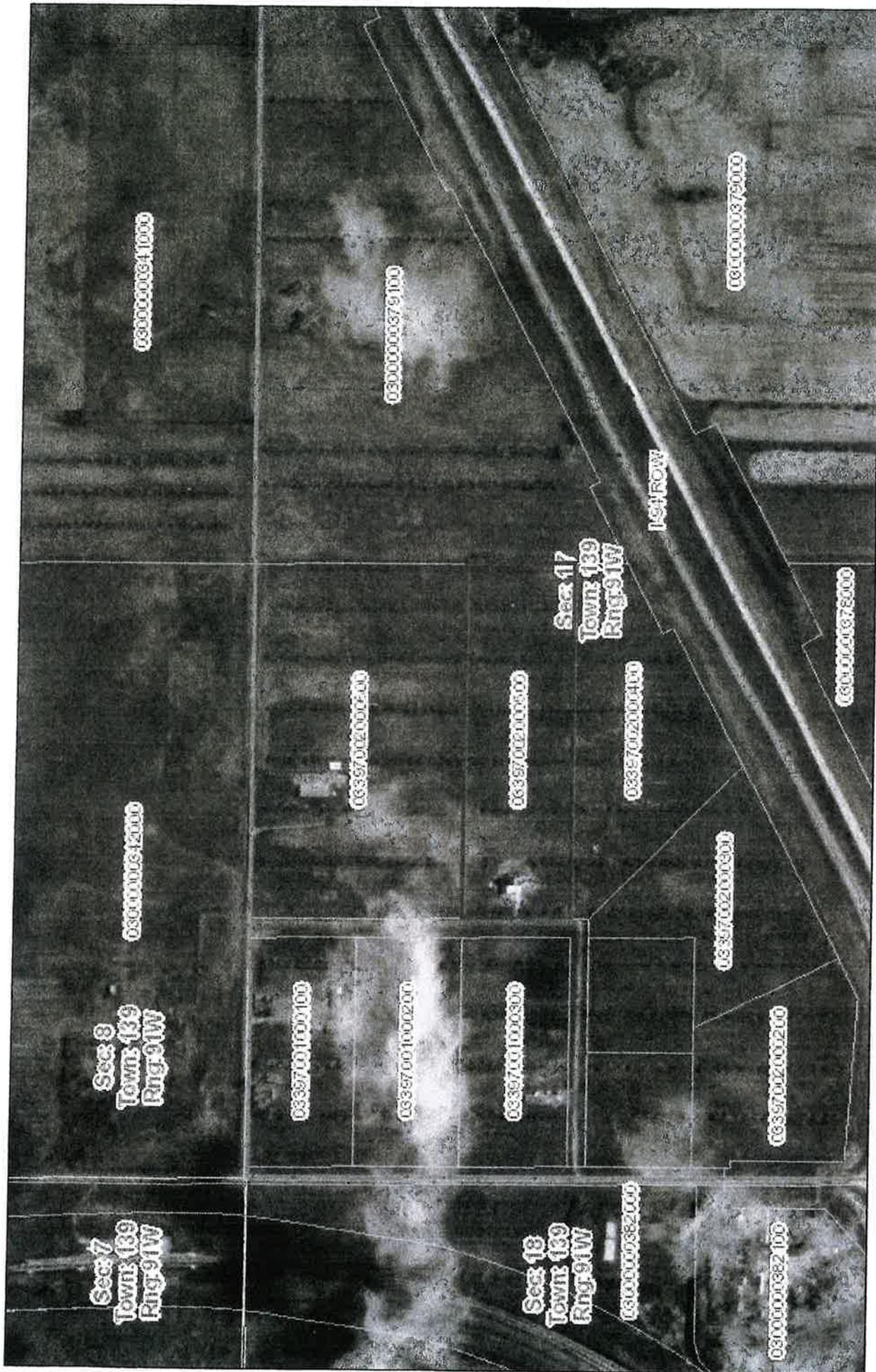
Applicant/Representative Signature and Date

6-22-2020

Owner's Signature and Date

Zoning Administrator or Designee and Date

7/8/2020



June 16, 2020

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

Parcels

Sections

1:10,158

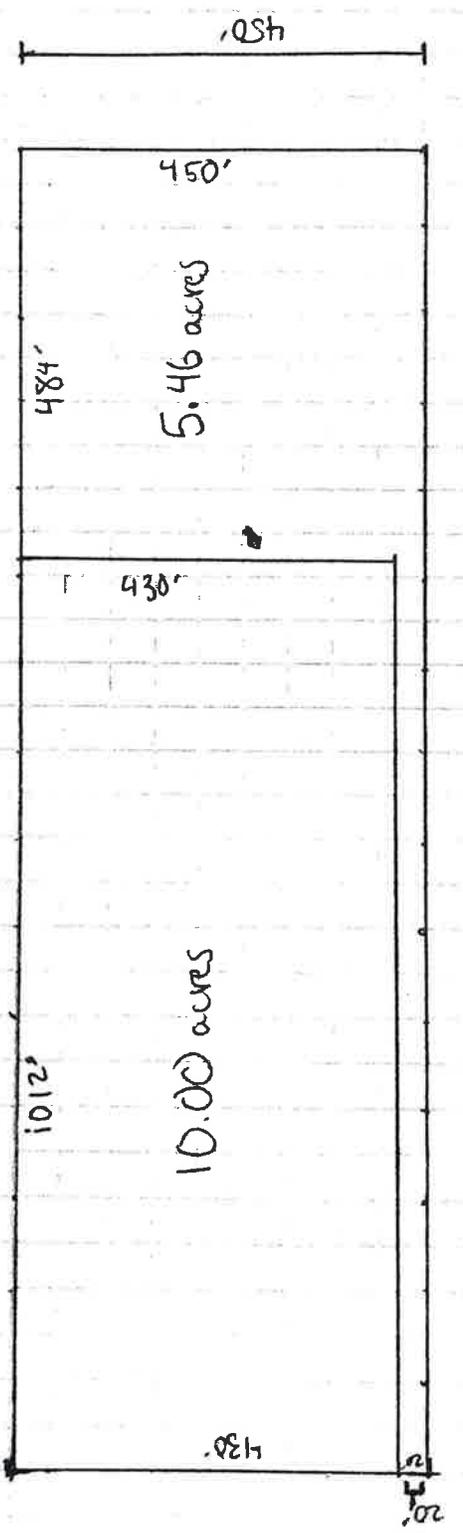


By 

JUN 29 2020

N

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Proposed Zoning Map



S

Findlay Rezoning Written Statement

To Whom it May Concern,

My name is Mike Findlay, and I am the current property owner and applicant for the rezoning of our plot of land in the Antelope Subdivision, NW ¼ Section 17, Township 139 North, Range 91 West of the 5th P.M., Block 2 Lot 5.

I wish to rezone our property from one 15.46 acre agricultural-residential plot, to one minor subdivision containing two rural-residential plots, one 10.00 acre and the other 5.46 acres. When we purchased our land, the landowner led us to believe the current plots of land in the subdivision could be split off into 5 acre plots if desired. My parents sold their home in Georgia, and wish to build their 1400 sq. ft. home on the back 5 acres of our land. Their plans are to retire in this home, and spend time with their granddaughter. I told them we would be able to split off 5 acres for them, as Northern Plains Engineering had already come out and surveyed our plot of land into 2 new plots, a 10.46 acre plot and a 5 acre plot.

Unfortunately when we began the process to apply for a construction permit, we spoke with the county and discovered the zoning of our subdivision, agricultural-residential, prevented splitting a lot smaller than 10 acres.

The sole reason for the application to rezone our property from rural-agricultural to rural-residential is for the ability to split off 5.46 acres of our land for my parents to build on. The only residences in the proposed minor subdivision will be the existing home I live in with my wife and daughter on the 10.00 acre plot, and the new stick built home my parents are hoping to build on their 5.46 acres. My parents' home will be 1300 feet east of our residence, and will maintain the spaciousness of the Antelope subdivision.

Thank you for your time and consideration.

-Mike Findlay



Hello Neighbors of Antelope Subdivision,

We are hoping to rezone our property, and wish to show the county we have the support of our neighbors. Below we describe our plans and have attached a diagram of our proposal.

Mike's parents have sold their home in Georgia, and have been renting a house in Glen Ullin for a year with the intention of building a home on the eastern 5.46 acres of our property. Contrary to what we were told when we purchased the land, we are not allowed to simply split off a 5.46-acre lot, as the current zoning of "agricultural-residential" has a minimum lot size of 10 acres. The county also currently does not permit two residences on one property in an area zoned agricultural residential.

In order for them to be able to build, we need to ask the county to rezone our current 15.46 acre agricultural-residential lot to "rural-residential". Our new zoning will not affect anyone else's zoning, and rural residential zoning has the exact same land use and building guidelines as agricultural residential, except it allows a minimum lot size of 5 acres. All structure requirements and property setbacks are the same. Once rezoning is approved, we plan to subdivide our lot into a 10.00-acre lot that contains our existing home, and another 5.46-acre lot for Mike's parents to build on.

My parents' new home will be a stick built 1400sq ft house on a walkout basement, and will be located 6 tree rows into the property, over 1000' east of our current residence. We enjoy the spaciousness of our subdivision, and their new home will maintain the distancing.

You might have seen our new 5-month-old daughter, Lexi, cruising around in her stroller lately, it would mean a great deal to us if her grandparents could live so close!

If you have any questions, please feel free to contact Mike, Katie, or hopefully the new neighbors, Mel and Kathi.

We appreciate your time and consideration, we just need you to sign this sheet acknowledging you are aware of our land being rezoned, and approve of it. Thank you!

Mike Findlay: Personal Cell 678- 205-6844

Work Cell- 701-260-7135

Katie Findlay: 701-290-6683

Mike's parents Mel and Kathi Findlay: 404-213-7511



Stark County Zoning and Planning:

I, _____ have read and support Mike and Katie Findlay's application for rezoning their property to rural-residential with intent to divide their property into one 10.00 acre plot for their current residence, and one 5.46 acre plot for Mike's parents to build their new home on. This will not impact the use or setting of the Antelope neighborhood.

Signed,

Date: _____

Stark County Zoning and Planning:

I, Kacy Elkins have read and support Mike and Katie Findlay's application for rezoning their property to rural-residential with intent to divide their property into one 10.00 acre plot for their current residence, and one 5.46 acre plot for Mike's parents to build their new home on. This will not impact the use or setting of the Antelope neighborhood.

Signed,

Kacy Elkins

Date: 6/23/2020



Stark County Zoning and Planning:

I, Susan Yuker have read and support Mike and Katie Findlay's application for rezoning their property to rural-residential with intent to divide their property into one 10.00 acre plot for their current residence, and one 5.46 acre plot for Mike's parents to build their new home on. This will not impact the use or setting of the Antelope neighborhood.

Signed,

Susan Yuker

Date: 6-22-20



Stark County Zoning and Planning:

I, Bill & Raelyn Schimetz have read and support Mike and Katie Findlay's application for rezoning their property to rural-residential with intent to divide their property into one 10.00 acre plot for their current residence, and one 5.46 acre plot for Mike's parents to build their new home on. This will not impact the use or setting of the Antelope neighborhood.

Signed,



Date: 6/23/20



Planning & Zoning MSP 01-20

**SUBDIVISION APPLICATION
STARK COUNTY, NORTH DAKOTA**

Note: Please review the Stark County Subdivision Directions prior to filling out this application.

DATE OF APPLICATION 07/06/2020

CURRENT ZONING Agricultural-Residential

SUBDIVISION REQUEST (Please select one below)

Major Subdivision Preliminary Plat _____

- Fees:** Up to 10 lots-\$500
- 11 lots to 25 lots-\$750
- 26 lots to 40 lots-\$1,500
- Over 40 lots-\$2,000

Major Subdivision Final Plat _____

Fee: \$350

Minor Subdivision Plat

Fee: \$200



Note: Please use the appropriate subdivision directions and checklist found on this web page. Please contact Steve Josephson, the Stark County Planner/Zoning Administrator, at (701)456-7672, or at _____ if you have questions.

NAME OF PLAT Findlay Subdivision

NUMBER OF LOTS 2

NUMBER OF DWELLING UNITS 2

NUMBER OF ACRES 15.46

WILL THIS APPLICATION REQUIRE ANY OTHER ACTION TO COMPLETE THE DEVELOPMENT? Yes _____ No

IF YES, PLEASE IDENTIFY THE TYPE OF APPLICATION

Zoning Map Amendment _____ **Zoning Ordinance Text Change** _____

Variance _____ **Planned Unit Development** _____ **Other** _____

**SUBDIVISION APPLICATION
STARK COUNTY, NORTH DAKOTA**



APPLICANT INFORMATION

Name Mike Findlay

Address 3819 82W Ave Sw

City Richardton State ND Zip 58652

Phone No.: 678-205-6844 Fax No.: _____

E-mail Address: mafindlay@yahoo.com

REPRESENTATIVE INFORMATION (IF APPLICABLE)

Name _____

Address _____

City _____ State _____ Zip _____

Phone No. _____ Fax No.: _____

E-mail Address: _____

PROPERTY OWNER INFORMATION IF DIFFERENT FROM THE APPLICANT

Name _____

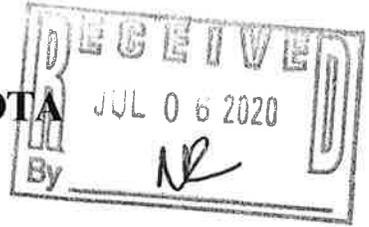
Address _____

City _____ State _____ Zip _____

Phone No. _____ Fax No. _____

E-mail Address _____

**SUBDIVISION APPLICATION
STARK COUNTY, NORTH DAKOTA**



PROPERTY INFORMATION

Property Size: 15.46 acres

Address: 3819 82W Ave Sw

City Richardton State ND Zip 58652

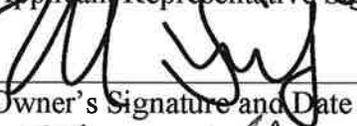
Legal Description as it appears on stark.northdakotaassessors.com:
NW 1/4 Section 17, Township 139 North, Range 91 West of the 5th P.M, Block 2 Lot 5

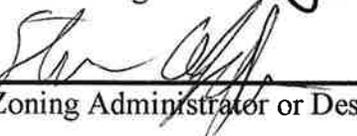
Parcel Identification Number as it appears on stark.northdakotaassessors.com:

03-3970-02000-500

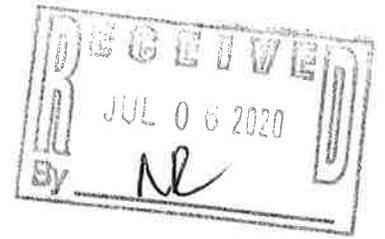
SIGNATURES


Applicant Representative Signature and Date 07/06/2020


Owner's Signature and Date 07/06/2020


Zoning Administrator or Designee and Date 7/14/2020

Findlay Subdivision Written Statement



To Whom it May Concern,

My name is Mike Findlay, and I am the current property owner and applicant for turning our plot of land in the Antelope Subdivision, NW ¼ Section 17, Township 139 North, Range 91 West of the 5th P.M., Block 2 Lot 5 into a minor subdivision.

I also wish to rezone our property, ultimately changing it from one 15.46 acre agricultural-residential plot, to one minor subdivision containing two rural-residential plots, one 10.00 acre and the other 5.46 acres. When we purchased our land, the landowner led us to believe the current plots of land in the subdivision could be split off into 5 acre plots if desired. My parents sold their home in Georgia, and wish to build their 1400 sq. ft. home on the back 5.46 acres of our land. Their plans are to retire in this home, and spend time with their granddaughter. I told them we would be able to split off 5 acres for them, as Northern Plains Engineering had already come out and surveyed our plot of land into 2 new plots, a 10.46 acre plot and a 5 acre plot.

Unfortunately when we began the process to apply for a construction permit, we spoke with the county and discovered the zoning of our subdivision, agricultural-residential, prevented splitting a lot smaller than 10 acres.

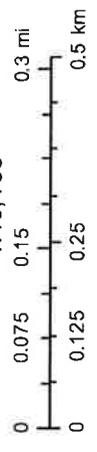
The sole reason for the application for a minor subdivision is the ability to split off 5.46 acres of our land for my parents to build on. The only residences in the proposed minor subdivision will be the existing home I live in with my wife and daughter on the 10.00 acre plot, and the new stick built home my parents are hoping to build on their 5.46 acres. My parents' home will be 1300 feet east of our residence, and will maintain the spaciousness of the Antelope subdivision.

Thank you for your time and consideration.

-Mike Findlay



June 16, 2020
 1:10,158
 DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.



BY *ML*
 JUL 06 2020

- Parcels
- Sections

3.8 Residential Development

No lot in a residential zoning district shall contain more than one principal single-family residential building, and no dwelling unit shall be built on a lot which does not abut a dedicated public right-of-way or private access easement. ~~Accessory buildings shall be smaller than the principal building and shall be limited to fifteen (15) feet in height and be located at least ten (10) feet from all lot lines.~~

Attached Accessory Structures-in residential zoning districts the square footage of an attached accessory structure shall not exceed 1.5 times the footprint of the attached dwelling unit. The height of an attached accessory structure shall not exceed the height of the attached dwelling unit. The outward appearance of the attached garage shall match the outward appearance of the attached dwelling unit. An accessory building physically attached to the principal building shall be considered part of the principal building and subject to the development regulations of its zoning district.

Detached Accessory Structures-in residential zoning districts the maximum cumulative building area for all detached accessory structures shall be five (5) per cent of the total lot area. The maximum height for each detached accessory structure shall be 25 feet or the height of the principal residential structure, whichever is less.

ZONING DISTRICT REGULATIONS

5.1 5.1 Agriculture District: Purpose

The Agricultural District is established to encourage preservation and protection of agricultural lands and the ideal of the family farm and to discourage uses incompatible with agricultural operations or detrimental to agricultural lands.

Development Standards

- 1) Minimum lot size: 40 acres
- 2) Minimum lot width: 300 feet
- 3) Minimum front yard setbacks: 50 feet
- 4) Minimum side yard setbacks: 15 feet
- 5) Minimum rear yard setbacks: 50 feet
- 6) Maximum lot coverage: N/A
- 7) Maximum height: 35 feet for residential structures

5.2 Agricultural Residential: Purpose

It is the purpose of this district to protect farmland and related farming activities while providing for the development of large lot residential housing.

Development Standards

- 1) Minimum lot size: 10 acres
- 2) Minimum lot width: 150 feet
- 3) Minimum front yard setbacks: 50 feet
- 4) Minimum side yard setbacks: 15 feet
- 5) Minimum rear yard setbacks: 50 feet
- 6) Maximum lot coverage: N/A
- 7) Maximum height: 35 feet for residential structures
- 8) Attached Accessory Structures: the square footage of an attached accessory structure shall not exceed 1.5 times the footprint of the attached dwelling unit. The height of an attached accessory structure shall not exceed the height of the attached dwelling unit. The outward appearance of the attached garage shall match the outward appearance of the attached dwelling unit. An accessory building physically attached to the principal building shall be considered part of the principal building and subject to the development regulations of its zoning district.
- 9) Residential Detached Accessory Structures
 - i. Minimum front yard setback: 50 feet
 - ii. Minimum side yard setback: 10 feet
 - iii. Minimum rear yard setback: 10 feet
 - iv. Maximum height: 25 feet or the height of the principal residential structure, whichever is less.
 - v. Maximum building area in a platted subdivision: five (5) per cent of the total lot area

In a platted subdivision the exterior of a detached accessory structure larger than 250 square feet shall generally match the exterior of the principal residential structure.

ZTA 01-20-ACCESSORY STRUCTURES

No detached accessory structure can be constructed on any residential lot without either an existing principal residential structure or a principal residential structure that is under construction

5.3 Rural Residential: Purpose

The rural residential district is established to promote a suitable residential environment uninterrupted by conflicting uses and incompatible activities in unincorporated communities.

Development Standards

- 1) Minimum lot size: five (5) acres
- 2) Minimum lot width: one hundred fifty (150) feet
- 3) Minimum front yard setbacks: fifty (50) feet
- 4) Minimum side yard setbacks: fifteen (15) feet
- 5) Minimum rear yard setbacks: fifty (50) feet
- 6) Maximum lot coverage: N/A
- 7) Maximum height: thirty-five (35) feet for residential structures
- 8) Attached Accessory Structures: in a platted subdivision the square footage of an attached accessory structure shall not exceed 1.5 times the footprint of the attached dwelling unit. The height of an attached accessory structure shall not exceed the height of the attached dwelling unit. The outward appearance of the attached garage shall match the outward appearance of the attached dwelling unit. An accessory building physically attached to the principal building shall be considered part of the principal building and subject to the development regulations of its zoning district.
- 9) Residential Detached Accessory Structures
 - i. Minimum front yard setback: 50 feet
 - ii. Minimum side yard setback: 10 feet
 - iii. Minimum rear yard setback: 10 feet
 - iv. Maximum height: 25 feet or the height of the principal residential structure, whichever is less.
 - v. Maximum building area in a platted subdivision: five (5) per cent of the total lot area

ZTA 01-20-ACCESSORY STRUCTURES

In a platted subdivision the exterior of a detached accessory structure larger than 250 square feet shall generally match the exterior of the principal residential structure.

No detached accessory structure can be constructed on any residential lot without either an existing principal residential structure or a principal residential structure that is under construction

5.4 Estate Residential District: Purpose

The estate residential district is established to promote single-family residential development immediately adjacent to existing unincorporated residentially-zoned communities consisting of lots that are less than five (5) acres in area. Application of the estate residential district shall be limited to properties within one mile of the following highway corridor:

- Highway 10 East from Lehigh Drive to 102st Avenue SW.

The ability to rezone properties to the Estate Residential Zoning District shall be restricted to properties located on the map maintained by the Stark County Zoning Administrator.

Development Standards

- 1) Minimum lot size: 2 acres
- 2) Minimum lot width: 100 feet
- 3) Minimum front yard setbacks: 40 feet
- 4) Minimum side yard setbacks: 15 feet
- 5) Minimum rear yard setbacks: 25 feet
- 6) Maximum lot coverage: 30 percent
- 7) Maximum height: 35 feet for residential structures
- 8) Attached Accessory Structures: in a platted subdivision the square footage of an attached accessory structure shall not exceed 1.5 times the footprint of the attached dwelling unit. The height of an attached accessory structure shall not exceed the height of the attached dwelling unit. The outward appearance of the attached garage shall match the outward appearance of the attached dwelling unit. An accessory building physically attached to the principal building shall be considered part of the principal building and subject to the development regulations of its zoning district.

ZTA 01-20-ACCESSORY STRUCTURES

9) Residential Detached Accessory Structures

- i. Detached accessory structures shall not be constructed in the front yard.
- ii. Minimum side yard setback: 10 feet
- iii. Minimum rear yard setback: 10 feet
- iv. Maximum height: 25 feet or the height of the principal residential structure, whichever is less.
- v. Maximum building area in a platted subdivision: five (5) per cent of the total lot area

In a platted subdivision the exterior of a detached accessory structure larger than 250 square feet shall generally match the exterior of the principal residential structure.

No detached accessory structure can be constructed on any residential lot without either an existing principal residential structure or a principal residential structure that is under construction

DRAFT

ZTA 02-20-ACCESSORY DWELLING UNIT DRAFT

2.3 Definitions

Accessory dwelling unit means a second dwelling unit on a lot developed with a principal single-family dwelling unit. The accessory dwelling units may either be added onto, created within or detached from an existing single-family detached dwelling for use as a completely independent or semi-independent unit with provisions for cooking, eating, sanitation and sleeping.

3.10 Accessory Dwelling Units

- The accessory dwelling unit shall be subject to approval of a conditional use permit.
- The accessory dwelling shall be located on a conforming residential lot. A minimum lot area of 60,000 square feet shall be required.
- The owner of the accessory dwelling unit must reside on the lot in either the principal residence or the accessory dwelling unit.
- A detached accessory dwelling unit shall only be allowed in either the side yard or the rear yard.
- A detached accessory dwelling unit shall be located within one hundred fifty feet of the principal residence or shall be a conversion of an existing detached structure (i.e. garage).
- The accessory dwelling unit area shall not exceed eighty percent of the square footage of the habitable area of the primary residence or 1,500 square feet, whichever is smaller.
- The accessory dwelling unit shall meet minimum setback requirements for the zoning district.
- No recreational vehicle shall be allowed as an accessory dwelling unit.
- One accessory dwelling unit is allowed on any residential property less than 40 acres. Two accessory dwelling units are allowed on residential properties 40 acres or larger.
- An additional off-street parking space shall be provided for the accessory dwelling unit.
- A title notice will be placed on the property which generally states the accessory dwelling located on the property may not be sold as a separate residence until

ZTA 02-20-ACCESSORY DWELLING UNIT DRAFT

such time as the accessory dwelling is located as the sole residence on a legally subdivided parcel.

- Accessory dwelling units shall be developed in accordance with all applicable building code provisions. Accessory dwelling units shall also meet all applicable regulations for water and sewer services.

5.1 Agriculture District: Purpose

The Agricultural District is established to encourage preservation and protection of agricultural lands and the ideal of the family farm and to discourage uses incompatible with agricultural operations or detrimental to agricultural lands.

5.1.2 Conditional Uses

- 1) Commercial feedlots subject to the provisions of this Code.
- 2) Manufacturing and processing of agricultural resources and products indigenous to the county but not including rendering plants, fertilizer plants and the like.
- 3) Solid waste disposal facilities subject to the provisions of the Code.
- 4) Electrical substations, high voltage transmission lines and accessory buildings used for the primary purpose of transmission of electrical energy from one area to another. These provisions shall not apply to those transmission lines which directly serve the county.
- 5) Transmitting towers, relaying stations and pipelines.
- 6) Hunting lodges.
- 7) Bed and breakfast inns.
- 8) Anhydrous ammonia storage facilities.
- 9) Wastewater plants and systems.
- 10) Water depots.
- 11) Gravel pits, crushing and stockpiling.
- 12) Communication towers.
- 13) Airport and landing field.

ZTA 02-20-ACCESSORY DWELLING UNIT DRAFT

- 14) Wind energy facilities.
- 15) Child care and child nurseries.
- 16) Adult care centers.
- 17) Agricultural equipment storage.
- 18) Family home day care.
- 19) Firing range, outdoor.
- 20) Hospitals and medical centers.
- 21) Stables.
- 22) Livestock transfer and feeding operations.
- 23) Kennels.
- 24) Mineral and other substance excavation and mining
- 25) Temporary uses, including, but not limited to
 - i. Bazaars, Carnivals, or Fairs;
 - ii. Musical Events;
 - iii. Racing Events;
 - iv. Rodeos;
 - v. Public gatherings for a single-purpose event;
 - vi. Temporary building or yard for construction materials and/or equipment incidental and necessary for current construction in the immediate surrounding area;
 - vii. Temporary office incidental and necessary for the construction, sale, or rental of the property in the immediate surrounding area;
 - viii. Temporary operations for road improvement projects, including a temporary asphalt plant.

ZTA 02-20-ACCESSORY DWELLING UNIT DRAFT

Permits shall be valid for such period of time as determined by the County Commission and shall be renewable at the discretion of the County Commission.

- 26) Correctional facilities.
- 27) Components of water and wastewater systems
- 28) Radio and television transmitting and receiving facility.
- 29) Colleges and universities.
- 30) Dormitories.
- 31) On site storage of equipment and material related to oil exploration and production.
- 32) MET Towers.
- 33) Manufacturing Compassion Centers
- 34) Accessory Dwelling Units

5.2 Agricultural Residential: Purpose

It is the purpose of this district to protect farmland and related farming activities while providing for the development of large lot residential housing.

5.2.2. Conditional Uses

- 1) Commercial feedlots subject to the provisions of this Code.
- 2) Manufacturing and processing of agricultural resources and products indigenous to the county but not including rendering plants, fertilizer plants and the like.
- 3) Solid waste disposal facilities subject to the provisions of the Code
- 4) Electrical substations, high voltage transmission lines and accessory buildings used for the primary purpose of transmission of electrical energy from one area to another. These provisions shall not apply to those transmission lines which directly serve the county.
- 5) Transmitting towers, relaying stations and pipelines
- 6) Coal Mining

ZTA 02-20-ACCESSORY DWELLING UNIT DRAFT

- 7) Hunting lodges.
- 8) Bed and breakfast inns.
- 9) Anhydrous Ammonia storage facilities.
- 10) Wastewater plants and systems
- 11) Water depots.
- 12) Gravel Pits, Crushing and Stockpiling
- 13) Communication towers.
- 14) Airport and landing field.
- 15) Wind energy facilities.
- 16) Child care and child nurseries
- 17) Adult care centers
- 18) Agricultural Equipment Storage
- 19) Family Home Day Care
- 20) Firing Range, Outdoor
- 21) Hospitals and Medical Centers, including mental health facilities
- 22) Stables
- 23) Livestock transfer and feeding operations
- 24) Kennels
- 25) Mineral and other substance excavation and mining.
- 26) Temporary uses, including, but not limited to,
 - i. Bazaars, Carnivals, or Fairs;
 - ii. Musical Events;
 - iii. Racing Events;

ZTA 02-20-ACCESSORY DWELLING UNIT DRAFT

- iv. Rodeos;
- v. Public gatherings for a single-purpose event;
- vi. Temporary building or yard for construction materials and/or equipment incidental and necessary for current construction in the immediate surrounding area;
- vii. Temporary office incidental and necessary for the construction, sale, or rental of the property in the immediate surrounding area.

Permits shall be valid for such period of time as determined by the County Commission and shall be renewable at the discretion of the County Commission.

- 27) Correctional facilities
- 28) Components of water and wastewater systems
- 29) Radio and television transmitting and receiving facility
- 30) Colleges and universities
- 31) Dormitories
- 32) MET Towers
- 33) Accessory Dwelling Units

5.3 Rural Residential: Purpose

The rural residential district is established to promote a suitable residential environment uninterrupted by conflicting uses and incompatible activities in unincorporated communities.

5.3.2 Conditional Uses

- 1) Electrical substations, high voltage transmission lines and accessory buildings used for the primary purpose of transmission of electrical energy from one area to another. These provisions shall not apply to those transmission lines which directly serve the county.
- 2) Transmitting towers, relaying stations and pipelines.

ZTA 02-20-ACCESSORY DWELLING UNIT DRAFT

- 3) Coal mining.
- 4) Hunting lodges.
- 5) Bed and breakfast inns.
- 6) Wastewater plants and systems.
- 7) Water depots.
- 8) Gravel pits, crushing and stockpiling.
- 9) Communication towers.
- 10) Wind energy facilities.
- 11) Child care and child nurseries.
- 12) Adult care centers.
- 13) Family home day care.
- 14) Hospitals and medical centers, including mental health facilities.
- 15) Stables.
- 16) Livestock transfer and feeding operations.
- 17) Kennels.
- 18) Temporary uses, including, but not limited to,
 - i. Bazaars, Carnivals, or Fairs;
 - ii. Musical Events;
 - iii. Racing Events;
 - iv. Rodeos;
 - v. Public gatherings for a single-purpose event;
 - vi. Temporary building or yard for construction materials and/or equipment incidental and necessary for current construction in the immediate surrounding area;

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- vii. Temporary office incidental and necessary for the construction, sale, or rental of the property in the immediate surrounding area.

Permits shall be valid for such period of time as determined by the County Commission and shall be renewable at the discretion of the County Commission.

- 19) Correctional facilities.
- 20) Components of water and wastewater systems.
- 21) Radio and television transmitting and receiving facility.
- 22) Colleges and universities.
- 23) Dormitories.
- 24) MET Towers.
- 25) Accessory Dwelling Units

5.4 Estate Residential District: Purpose

The estate residential district is established to promote single-family residential development immediately adjacent to existing unincorporated residentially-zoned communities consisting of lots that are less than five (5) acres in area. Application of the estate residential district shall be limited to properties within one mile of the following highway corridor:

- Highway 10 East from Lehigh Drive to 102st Avenue SW.

The ability to rezone properties to the Estate Residential Zoning District shall be restricted to properties located on the map maintained by the Stark County Zoning Administrator.

5.4.2 Conditional Uses

- 1) Transmitting towers, relaying stations and pipelines.
- 2) Bed and breakfast inns.
- 3) Child care and child nurseries.
- 4) Adult care centers.
- 5) Family home day care.

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- 6) Hospitals and Medical Centers, including mental health facilities.
- 7) Home occupations.
- 8) Municipal buildings.
- 9) Museums, art galleries and studios.
- 10) Radio and television transmitting and receiving facility.
- 11) Communication towers.
- 12) Components of water and wastewater systems.
- 13) Electrical substations, high voltage transmission lines and accessory buildings used for the primary purpose of transmission of electrical energy from one area to another. These provisions shall not apply to those transmission lines which directly serve the county.
- 14) Accessory Dwelling Units
- 15) Temporary uses, including, but not limited to;
 - viii. Bazaars, Carnivals, or Fairs;
 - ix. Musical Events;
 - x. Racing Events;
 - xi. Rodeos;
 - xii. Public gatherings for a single-purpose event;
 - xiii. Temporary building or yard for construction materials and/or equipment incidental and necessary for current construction in the immediate surrounding area;
 - xiv. Temporary office incidental and necessary for the construction, sale, or rental of the property in the immediate surrounding area.

Temporary use permits shall be valid for such period of time as determined by the County Commission and shall be renewable at the discretion of the County Commission.

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