

Stark County Planning and Zoning Commission Minutes

March 30, 2017
3:00 pm

Chairman Russ Hoff called the meeting of the Stark County Planning and Zoning Commission to order. Chairman Russ Hoff, Sue Larsen, Jay Elkin, Kurt Froelich, Duane Grundhouser, and Byron Richard were present, and absent were, Klayton Oltmanns, Daneen Dressler, and Scott Decker. Also present were County Planner Steve Josephson, and Nicole Roberts of the Auditor's office.

Sue Larsen moved to approve the minutes from the February 2, 2017 meeting. Duane Grundhouser seconded. All voted Aye and motion carried.

Commissioner Jay Elkin made a motion to change the order of the agenda. Kurt Froelich seconded. Roll call vote. All voted Aye and the motion carried.

Chairman Hoff opened the public hearing on a request from Dustin and Brittany Hoff. The request is for a zoning change from Agriculture to Rural Residential on a parcel located at 11049 41st Street SW in the SE ¼ and the SW ¼ of Section 27, Township 139, Range 96 containing approximately 8.37 acres.

Chairman Hoff asked anyone to speak either for or against the zoning change Dustin and Brittany Hoff. Chairman Hoff closed the public hearing.

Jay Elkin moved to recommend to the Stark County Board of Commissioners the approval for the zoning change from Agriculture to Rural Residential on a parcel located at 11049 41st Street SW in the SE ¼ and the SW ¼ of Section 27, Township 139, Range 96 containing approximately 8.37 acres following staff recommendations for Dustin and Brittany Hoff.

Duane Grundhouser seconded. Roll call vote. All voted Aye except for Chairman Russ Hoff who abstained 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 Del Kubas. The request is for a zoning change from Agriculture to Agriculture with a Planned Unit Development Overlay District on a parcel located at 3130 121st Avenue SW in the SW ¼ of the NW ¼ of Section 12, Township 140, Range 98 containing approximately 40 acres.

Chairman Hoff asked anyone to speak either for or against the zoning change from Agriculture to Agriculture with a Planned Unit Development Overlay District for Del Kubas. Chairman Hoff closed the public hearing.

Sue Larsen moved to recommend to the Stark County Board of Commissioners the approval for zoning change from Agriculture to Agriculture with a Planned Unit Development Overlay District for Chandler Kubas and Del Kubas.

Jay Elkin seconded. All voted aye except for Chairman Russ Hoff who voted nay and the motion carried.

STAFF RECOMMENDATION: Approval of the Planned Unit Development Overlay based upon the following findings:

1. The adoption of a planned unit development should limit the uses impact upon the existing agricultural and residential uses in the vicinity; and
2. Development of the subject property shall be limited through the inclusion of the following conditions.
 - a. **The Planned Unit Development Overlay District shall be in substantial conformance at all times with the file materials received on March 7, 2017.**
 - b. **In addition to those uses associated with the Agriculture zoning district, a truck wash and one ground sign associated with the truck wash shall be permitted on the site.**
 - c. **The location of the truck wash and its traffic circulation system shall be as shown on the site plan submitted on March 7, 2017.**
 - d. **The truck wash building shall not exceed 3,500 square feet. The ground sign associated with the truck wash shall not exceed 32 square feet. The number of full time employees shall be limited to three. Otherwise, the use shall conform to the requirements of the Agriculture zoning district and the Rural Home Occupation standards as listed in the Stark County Zoning Ordinance as adopted in October 2017.**
 - e. **The applicants shall be responsible for retaining all water associated with the truck wash on the project site.**
 - f. **The tree row indicated on the site plan on the southeast corner of the property shall be installed no later than October 31, 2017. The trees shall have a minimum caliper of two inches and shall be approved by the Zoning Administrator prior to planting.**
 - g. **The uses on the remaining portion of the subject property shall be limited to those of the Agriculture zoning district as listed in the Stark County Zoning Ordinance.**
 - h. **Development of the subject property shall be performed in accordance with all applicable County, State and Federal rules and regulations.**

The request as conditioned is 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.

Steve Josephson, County Planner discussed the following items:

- A future presentation to the P&Z on vacant subdivision lots in Stark County; and
- Amendments to the Zoning Ordinance to change oil, gas and other related gathering line systems from a conditional use to a permitted use in the A, AR, and RR zoning districts.

Byron Richard moved to adjourn, Jay Elkin seconded.