

## Stark County Planning and Zoning Commission Minutes

May 28, 2020  
3:00 PM

Chairman Dean Franchuk called the meeting of the Stark County Planning and Zoning Commission to order. Chairman Dean Franchuk, Carla Arthaud, Scott Decker, Sandra Kuntz, Sue Larsen, Daneen Dressler, Kurt Froelich, and Sarah Trustem were present, and absent was Byron Richards. Also present were County Planner Steve Josephson and Nicole Roberts of the Auditor's office as well as Amanda Englestad of the States Attorney's office.

Kurt Froelich moved to approve the minutes from the April 30, 2020 meeting. Sue Larsen seconded. All voted Aye and motion carried.

Chairman Franchuk opened the public hearing for **VAR 03-20-Michael Ballard**. The request for a variance to the maximum square footage requirement for an accessory structure and a variance to allow an accessory structure in the front yard, and a variance for the maximum height of an accessory structure. The property is located at 10383 35R Street SW on Lot 1 Block 1 of Green River Estates Subdivision and is approximately 26.30 acres. County Planner Josephson informed the Planning and Zoning Commission a height variance was not required.

Chairman Franchuk asked anyone to speak either for or against the Michael Ballard variance request. Chairman Franchuk closed the hearing.

Kurt Froelich moved to recommend to the Stark County Board of Commissioners the approval of **VAR 03-20** for a variance the maximum square footage requirement for an accessory structure and a variance to allow an accessory structure in the front yard. The property is located at 10383 35R Street SW on Lot 1 Block 1 of Green River Estates Subdivision and is approximately 26.30 acres.

Carla Arthaud seconded. Roll call vote. All voted Aye and the motion carried.

**STAFF RECOMMENDATION:** Approval of the proposed variances based upon the findings listed above and subject to the following conditions;

1. **The detached accessory structure shall be limited to 5,160 square feet.**
2. **The detached accessory structure shall be generally located as shown on the site plans submitted with the variance application received by Stark County on May 5, 2020; and**
3. **The exterior of the detached accessory structure shall generally match the outside appearance of the primary residence.**

Chairman Franchuk opened the public hearing for **CUP 01-20 Glenn and Stacey Koffler**. The request for a conditional use permit for a kennel on a property located in the SE ¼ of Section 33, Township 140, Range 95 containing approximately 40.13 acres.

Chairman Franchuk asked anyone to speak either for or against the CUP for Glenn and Stacey Koffler. Chairman Franchuk closed the hearing.

Carla Arthaud moved to recommend to the Stark County Board of Commissioners the approval for the CUP **01-20** with the amendment to change the hours of operations to 7 a.m. to 9.p.m. for a kennel on a property located in the SE ¼ of Section 33, Township 140, Range 95 containing approximately 40.13 acres.

Sarah Trustem seconded. Roll call vote. All voted Aye and the 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. **The Conditional Use Permit shall be limited to a kennel and associated services.**
  - b. **Development shall be in accordance with the application material received by Stark County dated May 5, 2020.**
  - c. **The maximum number of animals shall be limited to 50.**
  - d. **The maximum number of employees per shift shall be two (2).**
  - e. **Hours of operation for the kennel shall be 7 a.m. to 9 p.m. Pickups and drop-offs may occur outside of those hours by appointment only.**
  - f. **No animals shall be allowed outside from 9 p.m. to 7 a.m.**
  - g. **All runs and kennel areas shall be fenced with solid wood or chain-link fencing, or with a stone or masonry wall. The fence or wall shall be of quality material and be neat in appearance.**
  - h. **Humane Society of America (HSUS) and American Society of Prevention of Cruelty to Animals (ASPCA) guidelines shall be used, at a minimum, for the flooring, walls between kennels, drainage, heating and cooling, cage sizes and runs.**
  - i. **The kennel shall not generate adverse off-site noise or odor impacts.**
  - j. **Any proposed change of the conditional use permit, including location of the facility, shall require a hearing before the Stark County Planning and Zoning Board and approval from the Stark County Commission.**
  - k. **The permit may be revoked by the County Commission anytime the applicant is in non-compliance with any of the conditions set by the Planning and Zoning Board or the County Commission for the issuance of the permit.**
  - l. **Operation of the kennel shall be performed in accordance with all applicable County, State and Federal rules and regulations.**

County Planner Josephson discussed proposed changes to the Stark County Zoning Ordinance regarding residential accessory buildings and accessory residences. There will be further discussion of the proposed amendments at the next Planning and Zoning Commission meeting.

Daneen Dressler moved to adjourn. Sue Larsen seconded.