

Stark County Planning and Zoning Commission Minutes

May 2, 2019
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, Sue Larsen, Sandra Kuntz, Sarah Trustem, Kurt Froelich, Byron Richard, and Daneen Dressler were present. Also present were County Planner Steve Josephson, Assistant States Attorney Amanda Engelstad and Nicole Roberts of the Auditor's office.

Sarah Trustem moved to approve the minutes from the February 28, 2019 meeting. Carla Arthaud seconded. All voted Aye and motion carried.

Chairman Franchuk opened the hearing for **MSP 03-19 Dean and Marilyn Burwick**. The request is for a Minor Subdivision Plat of the D. Burwick Minor Subdivision located in the SE ¼ of the SW ¼ of Section 4, Township 139 Range 97 containing approximately 20 acres.

Chairman Franchuk asked anyone to speak either for or against the Minor Subdivision Plat for **Dean and Marilyn Burwick**.

Chairman Franchuk closed the hearing.

Daneen Dressler moved to recommend to the Stark County Board of Commissioners the approval for a Minor Subdivision Plat of the D. Burwick Minor Subdivision located in the SE ¼ of the SW ¼ of Section 4, Township 139 Range 97 containing approximately 20 acres following staff recommendations for **MSP 03-19 Dean and Marilyn Burwick**.

Byron Richard seconded. Roll call vote. All voted Aye and the motion carried.

STAFF RECOMMENDATION: Approval of the proposed plat received on December 26, 2018

Chairman Franchuk opened the public hearing for **RZ 03-19 Justin and Christine Kruger**. The request is for a rezoning from Agriculture to Rural Residential on a property located in the SE ¼ of the E 1,400 feet of the North 1,697 feet of Section 33, Township 138, Range 96 containing approximately five acres.

Chairman Franchuk asked anyone to speak either for or against the zoning change for **Justin and Christine Kruger**.

Chairman Franchuk closed the public hearing.

Byron Richard moved to recommend to the Stark County Board of Commissioners the approval for the rezoning from Agriculture to Rural Residential on a property located in the SE ¼ of the E 1,400 feet of the North 1,697 feet of Section 33, Township 138, Range 96 containing approximately five acres following staff recommendations for **RZ 03-19 Justin and Christine Kruger**.

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

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

- The proposed rezoning is comparable to and compatible 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 Franchuk opened the hearing for **RZ 04-19 Chad Binstock**. The request is for a rezoning from Agriculture to Rural Residential on a property located in the E ½ of the SW ¼ of Section 27, Township 138, Range 96 containing approximately 7.71 acres.

Chairman Franchuk asked anyone to speak either for or against the zoning change for **Chad Binstock**.

Chairman Franchuk closed the public hearing.

Sue Larsen moved to recommend to the Stark County Board of Commissioners the approval for the rezoning from Agriculture to Rural Residential on a property located in the E ½ of the SW ¼ of Section 27, Township 138, Range 96 containing approximately 7.71 acres following staff recommendations for **RZ 04-19 Chad Binstock**.

Sarah Trustem seconded. Roll call vote. All voted Aye and the motion carried.

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

- The proposed rezoning is comparable to and 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 Franchuk opened the hearing for **VAR 01-19 John Heinen**. The request is for a variance to the minimum lot size for the Rural Residential zoning district on a property located at 11091 45M Street SW in the S ½ of the S ½ of the SW ¼ of the NW ¼ of Section 22, Township 138, Range 96 containing approximately 9.21 acres.

Chairman Franchuk asked anyone to speak either for or against the variance for **John Heinen**.

Chairman Franchuk closed the public hearing.

Kurt Froelich moved to recommend to the Stark County Board of Commissioners the approval for the variance to the minimum lot size for the Rural Residential zoning district on a property located at 11091 45M Street SW in the S ½ of the S ½ of the SW ¼ of the NW ¼ of Section 22, Township 138, Range 96 containing approximately 9.21 acres following staff recommendations for **VAR 01-19 John Heinen**.

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

- 1. A variance to the minimum lot size for the Rural Residential zoning district as listed in Chapter 5.3 of the Stark County Zoning Ordinance. As the applicant proposes to create a subdivision with a 4.21 acre lot this would result in a variance of 0.79 acres;**
- 2. The creation of the 4.21 acre lot shall occur through the County's subdivision process as found in Article VI of the Stark County Zoning Ordinance; and**
- 3. The lot sizes in the proposed subdivision shall be as depicted in the variance application materials received by Stark County on April 4, 2019.**

Sarah Trustem moved to adjourn. Scott Decker seconded.