

# River Heights City

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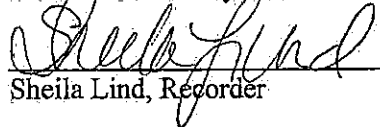
## RIVER HEIGHTS CITY PLANNING COMMISSION AGENDA

**Wednesday, March 29, 2017**

Notice is hereby given that the River Heights City Planning Commission will hold their regular meeting beginning at 7:00 p.m. in the River Heights City Office Building at 520 S 500 E.

- 7:00 p.m. Adoption of Prior Minutes
- 7:05 p.m. Discuss a Kennel Conditional Use Permit Application Submitted by Craig and JoDean Bailey (*continued*)
- 7:30 p.m. Adjourn

Posted this 23<sup>rd</sup> day of March 2017

  
\_\_\_\_\_  
Sheila Lind, Recorder

In compliance with the American Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sheila Lind, (435) 770-2061 at least 24 hours before the meeting.

# River Heights City

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River Heights City Planning Commission  
Minutes of the Meeting  
March 29, 2017

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5 Present: Commission members: Mark Malmstrom, Chairman  
6 Danny Petersen  
7 Lance Pitcher  
8 Cindy Schaub  
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10 Recorder Sheila Lind  
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12 Excused Commissioner Jake Zollinger  
13 Councilmember Blake Wright  
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15 Others Present: Craig and JoDean Bailey, Curtis and Lisa Crabbe  
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18 Motions made during the Meeting  
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20 Motion #1

21 Commissioner Petersen moved to “approve the minutes of the March 15, 2017  
22 Commission Meeting.” Commissioner Schaub seconded the motion, which carried with  
23 Malmstrom, Petersen, Pitcher and Schaub in favor. No one opposed. Zollinger was absent.  
24

25 Motion #2

26 Commissioner Schaub moved to “issue a Kennel Conditional Use Permit for three dogs,  
27 with the fourth dog to be removed from the premises before 45 days. The Commission will  
28 revisit the CUP in 6 months, the kennel will be cleaned daily, one outside dog and two inside  
29 dogs will be allowed. The permit will be extinguished if the Baileys move.” Commissioner  
30 Pitcher seconded the motion, which carried with Malmstrom, Pitcher and Schaub in favor.  
31 Petersen opposed. Zollinger was absent.  
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34 Proceedings of the Meeting  
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36 The River Heights City Planning Commission met at 7:00 p.m. in the Ervin R. Crosbie  
37 Council Chambers on March 29, 2017.

38 Adoption of Prior Minutes: Minutes for the March 15, 2017 Planning Commission  
39 Meeting were reviewed.

40 Commissioner Petersen moved to “approve the minutes of the March 15, 2017  
41 Commission Meeting.” Commissioner Schaub seconded the motion, which carried with  
42 Malmstrom, Petersen, Pitcher and Schaub in favor. No one opposed. Zollinger was absent.

43 Discuss a Kennel Conditional Use Permit Application Submitted by Craig and JoDean  
44 Bailey (continued from March 15): Craig Bailey explained they have been more diligent in

45 keeping the kennel clean. They have sprayed it out every day. They are planning to sell the  
46 newer outdoor dog. He has talked to his neighbor, Curtis Crabbe, who agreed this will help  
47 remedy the problem of the noise and smell. Commissioner Malmstrom noted the Bailey's  
48 efforts towards resolving the situation to appease their neighbors. Mr. Bailey said he's invited  
49 his neighbors over to inspect their kennel anytime. Mr. Crabbe said he feels a bit better  
50 knowing the one dog will be sold.

51 Commissioner Schaub brought up the dog breeding business the Bailey's are running.  
52 She is concerned about the potential number of dogs they could have on their property  
53 (puppies plus 3 adult dogs). They were asked to apply for a business license. Mr. Bailey asked if  
54 others in the city that have litters have business licenses. Commissioner Malmstrom said if a  
55 person is promoting selling through a website its best to have a license.

56 Commissioner Malmstrom suggested a condition that limits the Bailey's to having three  
57 dogs, with a time period to achieve this. Maintaining kennel cleanliness to cut down on the  
58 odor was another condition discussed.

59 Curtis Crabbe was concerned that when Roxy (the remaining outside dog) passes away,  
60 the Baileys would get another puppy that will need to be trained. JoDean Bailey said they  
61 would like to replace her with an adult dog, rather than a puppy.

62 Commissioner Petersen stated he is tired of people coming in and asking forgiveness for  
63 what they have and didn't get a prior permit for. It's up to citizens to find out what the laws are  
64 so they can follow them.

65 Commissioner Schaub would like to revisit this issue in 6 months. Craig Bailey agreed to  
66 this condition.

67 Commissioner Malmstrom expressed concern that if there is a problem later, we don't  
68 want the neighbors or the city to have to police the situation. Craig Bailey reported they are  
69 letting the dogs out more and will do so even more when there's only one dog, which will cut  
70 down on the kennel odor.

71 Commissioner Schaub moved to "issue a Kennel Conditional Use Permit for three  
72 dogs, with the fourth dog to be removed from the premises before 45 days. The Commission  
73 will revisit the CUP in 6 months, the kennel will be cleaned daily, one outside dog and two  
74 inside dogs will be allowed. The permit will be extinguished if the Baileys move."

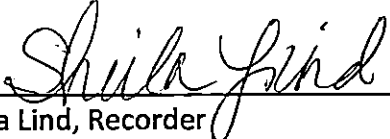
75 Commissioner Pitcher seconded the motion, which carried with Malmstrom, Pitcher and  
76 Schaub in favor. Petersen opposed. Zollinger was absent.

77 Commissioner Petersen explained he opposed because he's tired of people not getting  
78 permission for things before they go ahead with something that's against the ordinance.

79 JoDean Bailey suggested changing the wording on the dog tag application to explain that  
80 the kennel permit needs to be applied for before the dogs are owned.

81 The meeting adjourned at 7:35 p.m.

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Sheila Lind, Recorder

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Mark Malmstrom, Chairman