

River Heights City

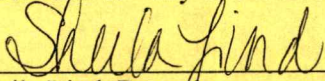
RIVER HEIGHTS CITY PLANNING COMMISSION AGENDA

Wednesday, October 21, 2015

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. Review a Kennel Conditional Use Permit Request Submitted by Kathryn Kammerer and Matthew Mietchen of 747 Mountain View Drive
- 7:30 p.m. Review a Conditional Use Permit Request Submitted by Richard Johnson of 850 S 600 E
- 8:00 p.m. Adjourn

Posted this 15th day of October 2015



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

1 River Heights City Planning Commission
2 Minutes of the Meeting
3 October 21, 2015
4

5 Present: Commission members: Mark Malmstrom, Chairman
6 Nina Knowles
7 Danny Petersen
8 Cindy Schaub
9 Jake Zollinger

10
11 Councilmember Blake Wright
12 Recorder Sheila Lind
13

14 Others Present: Kathryn Kammerer, Matthew Mietchen, Richard
15 and Karen Johnson, Melanie Fenstermaker, Sally
16 Hunsaker, Debbie Brunson and Robert Riolo
17

18 Motions made During the Meeting
19

20 Motion #1

21 Commissioner Petersen moved to “approve the minutes of the July 15, 2015
22 Commission Meeting.” Commissioner Knowles seconded the motion, which carried with
23 Knowles, Malmstrom, Petersen, Schaub and Zollinger in favor. No one opposed.
24

25 Motion #2

26 Commissioner Petersen moved to “allow Kathryn Kammerer and Matthew Mietchen to
27 have a Conditional Use Permit for three dogs only, according to their application. When they
28 move, the permit will go away. The backyard shall remain fenced.” Commissioner Schaub
29 seconded the motion, which carried with Knowles, Malmstrom, Petersen, Schaub and Zollinger
30 in favor. No one opposed.
31

32 Motion #3

33 Commissioner Schaub moved to “approve Rich Johnson’s request for a Conditional Use
34 Permit for a 16’ x 32’ swimming pool with an automatic safety cover and an accompanied shade
35 structure, constructed per code.” Commissioner Petersen seconded the motion, which carried
36 with Knowles, Malmstrom, Petersen, Schaub and Zollinger in favor. No one opposed.
37
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Proceedings of the Meeting

The River Heights City Planning Commission met at 7:00 p.m. in the Ervin R. Crosbie Council Chambers on October 21, 2015. Commissioner Malmstrom welcomed new members Jake Zollinger and Cindy Schaub.

Adoption of Prior Minutes: Minutes for the July 15, 2015 Planning Commission Meeting were reviewed.

Commissioner Petersen moved to “approve the minutes of the July 15, 2015 Commission Meeting.” Commissioner Knowles seconded the motion, which carried with Knowles, Malmstrom, Petersen, Schaub and Zollinger in favor. No one opposed.

Councilmember Wright took a few minutes to review the process in which Conditional Use Permits are approved. He referred to Title 10 in the River Heights Code. He encouraged the members to think ahead of future situations that might affect the neighborhood. He reminded that the permit goes with the property, not the owner.

Review a Kennel Conditional Use Permit Request Submitted by Kathryn Kammerer and Matthew Mietchen of 747 Mountain View Drive: Mr. Mietchen explained that they moved into River Heights on August 1. They were not aware the city required them to have a kennel permit for three dogs, which they already had. They don’t plan to have more than three or to breed them. They take good care of them and love them very much. He handed out photos of the dogs, as well as other information about their dog’s personalities and references.

Commissioner Malmstrom asked for clarification on whether the dogs are always kept inside when the owners are gone. Kathryn Kammerer stated this is true. She comes home for lunch and lets them out.

Commissioner Malmstrom informed that Gordon Geddes had submitted written comment, which stated he felt the dogs are too noisy. Mr. Mietchen said they have contacted their neighbors who have said they don’t have a problem with their dogs. Ms. Kemmerer turned in a letter from Marianne Ballam, in support of their permit. She also turned in a letter from their previous neighbors in Salt Lake, stating they never had any problems with these dogs. Ms. Kemmerer is part of the veterinary program at USU where they use her animals to help teach on occasion. There is a professor that can vouch for their disposition.

Sally Hunsaker asked for clarification on the number of dogs that are allowed. She asked if granting the permit will open the door for others to get these kind of permits. She was told that anyone who wants 3 dogs can apply.

Kathryn Kemmerer said they only plan on having these three dogs, no more.

Debbie Brunson asked how many of the Mietchen’s surrounding neighbors have dogs. Mr. Mietchen said they didn’t know of any. Ms. Hunsaker said she and her husband don’t have any objection.

76 Commissioner Malmstrom suggested approving the permit as long as Mr. Mietchen and
77 Ms. Kammerer live on the property.

78 Councilmember Wright suggested addressing fencing and barking.

79 **Commissioner Petersen moved to “allow Kathryn Kammerer and Matthew Mietchen**
80 **to have a Conditional Use Permit for three dogs only, according to their application. When**
81 **they move, the permit will go away. The backyard shall remain fenced.” Commissioner**
82 **Schaub seconded the motion, which carried with Knowles, Malmstrom, Petersen, Schaub and**
83 **Zollinger in favor. No one opposed.**

84 Review a Conditional Use Permit Request Submitted by Richard Jonson of 850 S 600 E:
85 Mr. Johnson explained that they would like to build a swimming pool in their backyard next
86 spring. He pointed out the drawing he turned in, which shows an approximate spot on their
87 property where they would like to place it.

88 Commissioner Malmstrom asked how the safety cover works. Mr. Johnson said it can
89 be set up with a security code or a key. The cover will support a person’s weight.
90 Commissioner Petersen asked if they plan on teaching swimming lessons. Karen Johnson said,
91 “No.”

92 Commissioner Schaub asked about fencing. Rich Johnson said they would have a
93 retaining wall with a railing on the top because of the elevation. They don’t want to fence just
94 the pool since they would like to have it open to their yard. They don’t have any direct
95 neighbors (they are surrounded by the church property and Spring Creek). They are planning
96 on a vinyl pool, since its best for this area.

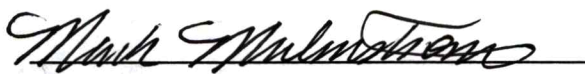
97 Councilmember Wright explained that as long as they’ve met the accessory use
98 regulation (setbacks, etc.), it can be approved. The pool and shade structure will need to be at
99 least 3 feet from the property line.

100 Commissioner Schaub was still concerned about safety. Commissioner Petersen said
101 this wouldn’t be the city’s responsibility.

102 **Commissioner Schaub moved to “approve Rich Johnson’s request for a Conditional**
103 **Use Permit for a 16’ x 32’ swimming pool with an automatic safety cover and an accompanied**
104 **shade structure, constructed per code.” Commissioner Petersen seconded the motion, which**
105 **carried with Knowles, Malmstrom, Petersen, Schaub and Zollinger in favor. No one opposed.**

106 The meeting adjourned at 7:45 p.m.

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110 _____
Sheila Lind, Recorder

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112 
113 Mark Malmstrom, Chairman

PH Oct 21

River Heights City
Kennel Conditional Use Permit and Application
The Keeping of Three or More Dogs or Cats
River Heights City Ordinance 12.710 (A) #27 & #67

Property Address: 747 Mountain View Drive River Heights, UT 84321

Name of the Property Owner(s): Robert Riolo

Name of Animal Owner(s): Katnigr Kammerer and Matthew Mitchen

Phone Number: 801-690-9788 or 801-718-0501

Amount of Land Available for Animal Support (square footage): 3130 sq foot ^{House =} 1,565 sq foot ^{Footprint of House =}
Lot = 0.29 Acres

Total Number of Animals to Kept on the Property: 3

Description of Shelter Provided for the Animals: Animals are housed indoors with

access to the fenced backyard through a dog door only when we

are home. The animals are indoor pets that are well cared for

and deeply loved. I am a Veterinary Student at USU

and come home everyday to check on the animals

Permit Fee \$100.00

and let them outside.

This fee is due upon application request and is non-refundable.

Date Paid 9/22/15 Check Number _____ By _____

email: Kammerer_kat@hotmail.com

NOTIFICATION OF NEIGHBORS

Applicant(s) will provide mailing labels of all owners of real property as shown on the latest official County Assessor's rolls within three hundred (300) feet of the perimeter boundaries of the subject property.

The City will schedule a public hearing within one month after receiving the labels.

This permit shall be on indefinite duration, non-transferrable but subject to revocation for violation of this ordinance, any other City Ordinance or regulation, or failure to meet imposed conditions by appointed date. Revocation will be only by majority vote of the River Heights City Council after written notice to the permit holder has been served and a hearing has been held.

October 19, 2015

Dear Commissioner Malmstrom:

We are writing in regards to permitting the neighbors Kathryn Kemmerer and Matthew Mietchem of 747 Mountain View Drive in River Heights to obtain a Kennel Condition Use Permit to legally keep three dogs on their property. **We are strongly against this permit.** We live a block away and hear the present two dogs barking a lot during the day. If we allow an additional dog and give them a conditional use permit, other residents in this area will want such a permit. It will open the door where others might want to have the same permit.

We think the noise of the two dogs now barking must be very annoying to their immediate neighbors, since we can even hear them from our backyard.

River Heights has so many residents that do not abide by the law of dogs and cats off their lots being on leashes. When they walk by our home we have witnessed many dogs running around while their owner is walking them. We have observed the dogs running into people's yards. We have even had a few dogs run into our backyard because they are not on a leash.

Most people who ask for such permits say they will do certain things, but when they get the permit, do just the opposite.

We ask that this permit not be given.

Sincerely,

Gordon G Geddes
Kathryn Geddes

Gordon and Kathryn Geddes
722 Stewart Hill Drive
River Heights, UT 84321

Porter is my handsome boy who loves life, people, little dogs, and birds. He makes life a joy to live.

Siena is an emotional distress dog. She really has helped Kat and been huge benefit to our lives.

Gus was supposed to be a temporary dog that we were going to adopt out. He instantly became a part of the family.

All three dogs are vaccinated and in good health. Our house and yard are contained and fenced securely.

Kat is a Vet Student with over 10 years of animal hospital work. She's a true animal whisperer who hopes to enhance the health and well-being of animals for the rest of her life.

The dogs have participated in several vet classroom hands-on demonstrations. The students and professors love having them to learn from. Dr. Stott, one of the vet professors, has offered to provide support for our animals.

Rusty Stott, DVM

Rusty.stott@usu.edu

435-770-3008

4815 Old Main Hill, Logan, Utah, 84322

Kat and I have taken all 3 dogs to the Cache Valley Gardeners' Market multiple times and have had many people make comments that are dogs are well behaved and appreciate being able to pet them. One lady sat down with her 16 month old on the grass for about 20 minutes and let him pet our dogs.

Discussion with neighbors regarding dogs has been positive and supportive. Neighbors to the east, west, and north of us are willing to speak in favor of us if requested.

East Neighbors: Eric & Jenni Hadfield
763 Mountain View Dr.
764-3513

West Neighbors: Tyler & Terressa Porter
731 Mountain View Dr.
213-6494

North Neighbor: Joe & Carol Godfrey
730 Stewart Hill Ct.
752-3593

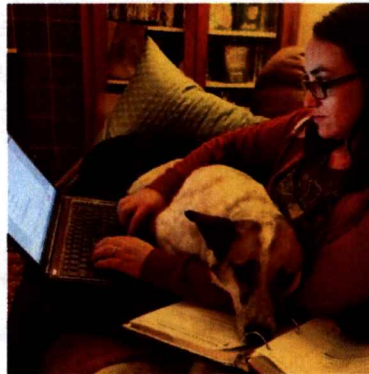
Our previous neighbors have provided a written letter how much they enjoyed having our dogs as neighbors. We lived in our previous neighborhood for 9 years of which they lived directly next to us for the last 5 years.

Dog Introduction:

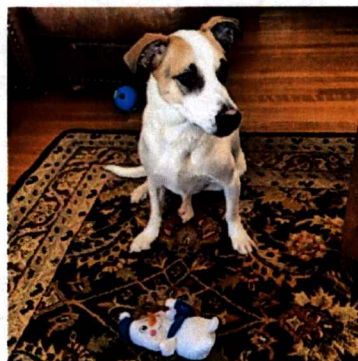
- Porter is our oldest at 10 years old. He's a black lab/border collie mix that loves to chase birds and attempts to speak to everyone. We're pretty sure he knows English well but lacks the vocal cords. He sits out on the front lawn with me and the neighbor kids while they pet him. He always has a huge smile on his face when they are with him.



- Siena is our princess. Kathryn and Siena are basically inseparable. Siena is really Kat's dog and has assisted her through many tough days. The only down side to Siena is my wife prefers to sit on the couch with her instead of me.



- Gus is our little bandit. Mostly because he wears dark fur around his eyes that look like a mask and he will eat food from the floor before you know you dropped it.





520 South 500 East
River Heights, Utah 84321
Phone & Fax (435) 752-2646

October 13, 2015

Dear Resident,

Your neighbors, Kathryn Kemmerer and Matthew Mietchen of 747 Mountain View Drive, have applied for a Kennel Conditional Use Permit to legally keep 3 dogs on their property.

Their application states their animals are indoor dogs. They have access to the fenced backyard through a dog door only when they are home. The dogs are well cared for and deeply loved. Kathryn comes home every day for lunch to check on them and let them out.

Because you own property within 300 feet of their property, you are invited to a public hearing scheduled for Wednesday, October 21 at 7:00 p.m., where the Planning Commission will hear comments and decide whether or not the permit will be granted. The meeting will be held at the River Heights City Building, 520 South 500 East. Written comments can be addressed to Commissioner Malmstrom and will be accepted up until noon on the date of the hearing.

Sincerely,

River Heights City

I have no trouble with the dogs day or night. I'm sorry I haven't been over to see you. I have not been feeling well.

*Marianne Ballan
740 Mountain View Dr.*

808 Coatsville Ave.,
Salt Lake City,
UT 84105

(510) 846 9768
gwyn@agaveweb.com

October 19, 2015

To Whom It May Concern:

We were Kathryn and Matthew Mietchen's neighbors for over four years (2011-2015) at 808 Coatsville Ave, Salt Lake City, and at no point experienced any problems (noise related or otherwise) with their three amazingly well-behaved dogs. When they adopted the third dog a few weeks after we moved here, they quickly had him trained and brought into line as another model canine citizen of the street. If ever they were away for more than a day the dogs would board with friends and family and by the dogs' loving nature you can tell they are extremely well cared for. I do not know of any better, more responsible dog owners than Kathryn and Matthew.

Feel free to follow up by phone or email if you need any further information.

Best,



Gwyn Fisher

River Heights City Conditional Use Application

For office use	
Date Received	9/30/15
Receipt #	53
Hearing Date	10/21/15
Approved	Denied

Please fill out all applicable information.

1. APPLICANT

Name: Richard Johnson

Mailing Address: 850 S. 600 E. River Heights, Utah

Phone #: (435) 753-3209 Fax #: ~~(435) 753-3209~~ e-mail: richbuckeye@yahoo.com

Please check one of the following: owner buyer renter agent other

2. PROJECT INFORMATION

Name: Richard Johnson

Address/Location: 850 S. 600 E. River Heights, Utah

Property Tax ID: 02-092-0069 Existing zone: R-1-8

What is the current use of the property? Residential Home

How many employees will be working at this location including applicant, immediate family members, and non-family members? No paid employees. 4-5 family members

How many vehicles will be coming and going daily, weekly, or monthly? No one on a regular basis, cement trucks on 2-3 days

I agree to abide by the River Heights City Parking Ordinance (10-13). Initial RLJ

I agree to abide by the River Heights City Sign Ordinance (10-14). Initial RLJ

Description of Request: I would like to construct a swimming pool in our backyard. A shade structure would also like to be constructed next to the pool. The swimming pool will be 16'x32' and have an automatic safety cover.

Church Property

800 South

