

Conditional Use Permit 2014-07
GREG AND DARNELL GHIDOTTI
DOG KENNEL AND TRAINING FACILITY
LOCATED AT 1382 E. ERDA WAY
TOOELE COUNTY, UT

CONDITIONAL USE PERMIT

Facts

1. The applicant intends to locate and operate a dog kennel and training facility on their property at 1382 E. Erda Way.
2. The property is zoned Rural Residential 5 Acre minimum lot (RR-5) which allows for boarding or breeding kennel as a conditional use requiring a conditional use permit to be granted by the Tooele County Planning Commission.
4. A public hearing was held September 3, 2014 before the Planning Commission.
5. The Planning Commission approved a conditional use permit on December 3, 2014 which was appealed to the Board of County Commissioners on December 4, 2014.
6. The Board of County Commissioners approved the conditional use permit with modifications on April 7, 2015.

Applicable Law

1. Tooele County Land Use Ordinance Chapter 7 Conditional Uses
2. Tooele County Land Use Ordinance Chapter 15 Multiple Use, Agricultural, and Rural Residential Districts

Decision

We, the Tooele County Planning Commission, do hereby **GRANT** this Conditional Use Permit for **GREG AND DARNELL GHIDOTTI**. to use the property described as:

LOT 29, COUNTRY LANE RANCHETTES

for the following purpose:

CONDITIONAL USE PERMIT FOR A DOG KENNEL AND TRAINING FACILITY.

Due to the unique characteristics of the use of the property or the potential impact on the county, surrounding neighbors or adjacent land, to mitigate or eliminate the detrimental impacts and for protection of adjacent property and the public welfare (see Section 7-1 and 7-5 of the Tooele County Land Use Ordinance), we hereby find it necessary to and hereby impose the following conditions, which must be complied with to establish and continue to use the property:

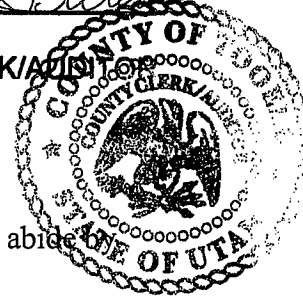
All operations shall comply with the following requirements:

1. Limit the number of uses on the property to dog training and retail sales of training equipment.
2. The owners or an agent for the owners reside on the property.
3. Odors be controlled and not detectable beyond the property line.
4. Flies and other vectors be controlled.
5. The maximum number of dogs on the property at any one time for IKT, inclusive of the owners' personal dogs, shall be twelve (12), in addition to the three (3) personal animals permitted by Tooele County Land Use code 15-5-3.1(i).. Dogs shall be confined to the indoors at all times except for (a) regular periodic stays in a fenced outdoor yard or (b) supervised training sessions.
6. No appointments for any conditional use outside the hours of 10:00 A.M. to 7:00 P.M. daily.
7. No dogs shall remain outdoors prior to 6:00 A.M. and after 8:00 P.M. daily.
8. No dogs outdoors when kennel is not staffed.
9. All fencing (indoor and outdoor) intended to confine the animals to be a minimum height of 6 feet and of sturdy construction to contain all dog breeds.
10. All outdoor containment fences, intended solely for unsupervised exercise, (a) shall be constructed and maintained with a cement footing to assure that the kenneled domestic dogs will be confined at all times and (b) shall be a minimum of 20 feet from all property lines.
11. Outdoor runs to be built on cement pads.
12. The block wall surrounding the kennel facility's outdoor runs to be a minimum height of 6 feet.
13. Permit holder will comply with all building requirements including but not limited to the facility being located a minimum of 100 feet from all property lines as required by section 15-5.3.1(j) of the Tooele County Land Use Ordinance.
14. The kennel facility must be 150 feet away from any dwellings including those on owners' property.
15. All conditional uses to be carried out south of the dwellings of the adjacent property owners.
16. Abide by Tooele County noise ordinance at all times. The applicant shall take whatever steps necessary to quiet the kenneled domestic animals.
17. Permit holder will assure that animals are in compliance with applicable health, veterinary, transportation and other laws applicable to the kennel operation.
18. The operation shall be in compliance with the Tooele County Health Department codes and requirements for proper disposal of waste and gray water from the kennel. The septic system must be totally separate for the kennel and the residence. All waste to be cleaned up daily at a minimum.
19. A kennel license shall be obtained from the Tooele County Animal Control Officer, and regulations imposed by such license shall be complied with.
20. An initial inspection to ensure compliance with all conditions must be completed by a county official from the Tooele County Zoning administrator, Health Department or Animal Control prior to the issuing of a kennel license.
21. The Tooele County Zoning administrator, Health Department or Animal Control may enter the premise at any time to inspect for compliance with all applicable laws, codes and conditions.
22. Failure to comply with the conditions of this CUP, as well as other applicable laws and ordinances, may result in this CUP and any business licenses being revoked.

ATTEST:

Marilyn K Gillette

MARILYN K GILLETTE
TOOELE COUNTY CLERK/ADMINISTRATOR



Dated this 7th day of April, 2015.

Wade B Britan

Chairman, Tooele County Commission

We, Greg and Darnell Ghidotti, do hereby accept the foregoing conditions and agree to abide by them.

Dated this ____ day of April, 2015.

Darnell M Ghidotti

Signature Darnell Marie Ghidotti

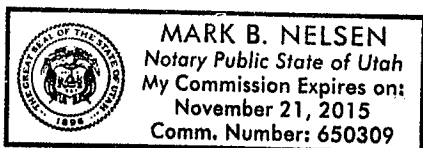
Gregory Allen Ghidotti

Gregory Allen Ghidotti

State of Utah)

County of Tooele) s.s.

On the 24 day of April, 2015, personally appeared before me, Greg and Darnell Ghidotti, the signees of the Conditional Use permit, who duly acknowledged to me that they, signed it freely and voluntarily and for the uses and purpose therein mentioned.



Mark B Nelsen Mark B Nelsen
Notary residing in Tooele County

My Commission expires on 11/21/15