

Conditional Use Permit 2014-09
TASESA AND KRISTIN AKERIPA
BREEDING KENNEL
LOCATED AT 1711 E. BRINLEE COURT
TOOELE COUNTY, UT

CONDITIONAL USE PERMIT

Facts

1. The applicant intends to locate and operate a breeding dog kennel on their property at 1711 E. Brinlee Court.
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 November 5, 2014 before the Planning Commission.
5. The Planning Commission approved a conditional use permit which was appealed to the Board of County Commissioners on November 15, 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 Commission, do hereby **GRANT** this Conditional Use Permit for **TASESA AND KRISTIN AKERIPA** to use the property described as:

LOT 3. 4N RANCHETTES SUBDIVISION

for the following purpose:

CONDITIONAL USE PERMIT FOR A DOG KENNEL AND BREEDING 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 use of the property to breeding purposes only.
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 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 indoor at all times except for (a) regular periodic stays in a fenced outdoor yard or (b) supervised training.
6. No dogs shall remain outdoors prior to 7:00 AM and after 8:00 PM daily.
7. No dogs outdoors when the kennel is not staffed.
8. All fencing (indoor and outdoor) intended to confine the dogs to be a minimum height of 6 feet and of sturdy construction to contain all dog breeds.
9. All outdoor containment fences, intended for exercise, (a) shall be constructed and maintained with a cement footing to assure that the kenneled dogs will be confined at all times and (b) shall be a minimum of 20 feet from all property lines.
10. Outdoor runs to be built on cement pads.
11. Permit holder will comply with all building requirements including but not limited to the owners obtaining the required building permit and inspections, be 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.
12. The kennel facility must be 150 feet away from any dwelling including those on owners' property.
13. Abide by the Tooele County noise ordinance at all times. The applicant shall take whatever steps necessary to quiet the kenneled dogs.
14. Permit holder will assure that the animals are in compliance with applicable health, veterinary, transportation and other laws applicable to the kennel operation.
15. 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 facility. The septic system must be totally separate for the kennel and the residence. All waste to be cleaned up daily at a minimum.
16. A kennel license shall be obtained from Tooele County, and regulations imposed by such license shall be complied with.
17. An initial inspection to ensure compliance with all conditions must be complete by a county official from the Tooele County Zoning Administrator, Health Department or Animal Control prior to issuing of a kennel license.
18. The Tooele County Zoning Administrator, Health Department or Animal Control may enter the premises at any time to inspect for compliance with all applicable laws, codes and conditions
19. Install a decorative fence for a visual barrier of both the kennel and runs, so that you cannot tell that there is a kennel.
20. 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.

Dated this 7th day of April, 2015.

Wade B. Bitner
Chairman, Tooele County Commission



Merlyn K. Gillette
MERLYN K. GILLETTE
TOOELE COUNTY CLERK/AUDITOR

We, Tasesa and Kristin Akeripa , do hereby accept the foregoing conditions and agree to abide by them.

Dated this ____ day of April, 2015.

Signature

State of Utah)

) s.s.

County of _____

On the ____ day of April, 2015, personally appeared before me, Tasesa and Kristin Akerpia, 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.

Notary residing in _____ County

My Commission expires on _____