

## MINUTES OF SPECIAL PLANNING & ZONING BOARD MEETING

Date: May 9, 2007

Place: Town of Duluth Town Hall

Purpose: to hear an appeal for a Conditional Use Permit to operate an animal boarding kennel at a residence in the FAM-3 zone, which use is not allowed by the current Ordinance #3 in that zone.

Applicant: Janet Lampi, 7002 App Road, Two Harbors, MN 55616

Meeting called to order at 7:02 PM by Chair Dave Miller. Others board members present: Jan Green, Michael Kahl, Yvonne Rutford. Seth Levanen arrived at 7:25, and was provided with documentation and briefed before a motion was made and voted upon. Absent: Dave Chura and Adam Hendrickson.

Wayne Dahlberg, Director of Planning, briefly introduced the request and the applicable ordinance provisions, declaring that this proceeding should only deal with a kennel use, not a home business as defined by the applicant as a concurrent use in the proposed building, which use does not require a permit.

Janet Lampi reviewed her plan, her reasons for desiring to operate a kennel, her research and precautions for avoiding potential conflict with surrounding neighbors. The building will have in-floor heat as well as air-conditioning, minimal outside exercise area, waste handling capability, including incineration in wintertime, if necessary. Janet stressed that the project is to be kept small; it would not be her primary income source, rather be for her enjoyment.

Barking concerns were discussed, and a letter from Kaye Jacobs and Gil Veith, distant neighbors, was presented objecting to the project mostly on that basis. Janet plans to have emergency phone numbers on hand to enable her to call an owner should a dog become unruly and unmanageable. Wayne offered that barking of animals in the rural setting is not unusual.

Michael Kahl inquired about prior immunizations of the animals before being accepted at the kennel site: Janet assured the Board that she will insist upon it.

Leslie Furo, a resident who formerly operated such a service, spoke favorably of Janet's plan, and has been consulting with her about the operational details involved. Walt Bailey, an immediate neighbor, attended in support, but did not speak.

Wayne Dahlberg had inspected the site, finding it to be sized and the site plan arranged to his satisfaction.

Potential future usage, including expansion, was discussed by several board members as well as Dave Mount, a neighbor and the newest member of the Board of Supervisors. Wayne indicated that, although a conditional use, once granted, remains in effect for the property unless the granted use is discontinued, a reasonable restriction could be made part of the official permitting process, properly approved, documented and filed at the County Recorder's office.

Jan Green moved approval of the application for a conditional use to operate a boarding kennel at 7002 App Road, Two Harbors, MN 55616, with the provision that any future expansion would require the owner(s) to submit a new Conditional Use Permit application for the planned growth, especially if larger outside runs were part of the consideration. Michael Kahl seconded the motion: it passed unanimously (5-0)

Meeting adjourned at 7:35 PM.

Respectfully submitted by John Kessler, substituting for Trisha O'Keefe, Secretary.