



PLANNING AND ZONING

Cerro Gordo County Courthouse

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SPECIAL USE PERMIT STAFF REPORT

SUMMARY OF REQUEST

Case No.: 23-11

Hearing Date: May 30, 2023

Staff Contact: John Robbins, Planning and Zoning Administrator

Applicant:

Owner

Brian A. Thompson
19030 Jonquil Avenue
Clear Lake, IA 50428

Same

Property Address: 19030 Jonquil Avenue

Brief Legal Description: Tract of land in the SE¼ of the SE¼, Section 33, Lincoln Township

Zoning: A-1 Agricultural

Special Use Requested: 20.2(W) Commercial kennel for boarding of dogs

Special Use Area: ~51,250 square feet

Parcel Area: 10 acres

Special Use Description

Brian Thompson proposes to operate a boarding kennel for dogs out of the existing machine shed, which will be remodeled for the business under Section 20.2(W) of the Zoning Ordinance. Mr. Thompson anticipates a capacity for boarding about 50 dogs at full capacity. The proposed business will have an outdoor exercise area and will likely include grooming services in the future.

FINDINGS OF FACT

1. Brian A. Thompson is the owner of the subject property.
2. The property is zoned A-1 Agricultural.
3. Mr. Thompson is requesting a Special Use Permit for a proposed commercial kennel for the boarding of dog, including grooming services.
4. Commercial kennels for the boarding of dogs is a special permitted use in the A-1 District, subject to the requirements and conditions as granted by the Board of Adjustment.
5. The application was filed on April 18, 2023 with the Planning and Zoning Office.

BACKGROUND INFORMATION

Purpose of Special Use Request

Brian Thompson (Thompson) proposes to operate a boarding kennel for dogs out of the existing machine shed, which will be remodeled for the business, under Section 20.2(W) of the Zoning Ordinance (See Figure 1). Mr. Thompson anticipates a capacity for boarding about 50 dogs at full capacity. The proposed business will have an outdoor exercise area and will likely include grooming services in the future (See Figure 2). The proposed business is a special permitted use in the A-1 District with approval from the county Board of Adjustment.

Existing Land Use and Zoning Classification of Property

The property is zoned A-1 Agricultural and has Thompson's dwelling and acreage.

Land Use and Zoning Classification of Surrounding Property

The runway of the Mason City Municipal Airport is on the property to the west, zoned A-1 Agricultural. Properties to the north, south, and east have fields in agricultural production, zoned A-1 Agricultural.

There are two acreages that are also adjacent to the south. The building site immediately adjacent to the subject property at 18998 Jonquil Avenue is zoned A-2 Agricultural Residence. The owner of this acreage has provided signed consent for the proposed special use in a letter submitted with the application. The acreage a bit further to the south at 18980 Jonquil Avenue is zoned A-1 Agricultural.

GENERAL FINDINGS

Harmony and Accord with General Principles and Proposals of the Zoning Ordinance

The Zoning Ordinance is intended to promote public health, safety, morals, comfort, and general welfare. In addition, the ordinance is intended to conserve property values and encourage the most appropriate use of land. Generally, the biggest concern with dog kennels is noise from barking, which is the purpose of the minimum 200' setback requirement from property lines and minimum 600' setback distance from dwellings and residential districts from outdoor runs/exercise areas to mitigate this potential impact that can reduce the enjoyment of a property. This requirement generally assumes no screening being in place.

The nearest dwelling at 18998 Jonquil Avenue is approximately 350' to the south of the proposed exercise area (See Figure 2). The owner of this acreage has provided signed consent for the proposed special use in a letter submitted with the application. The next closest dwelling at 18980 Jonquil is approximately 520' from the proposed exercise area. There is some existing vegetation in place between the proposed location and the properties to the south that can help mitigate some of the potential noise (See Figure 3). While the vegetation could help to reduce some potential noise, further buffering or mitigation measures should also be put in place for any potential approval to further reduce potential noise impacts. Further vegetation or fencing could be installed along the south of the property line or building, outdoor exercise areas could be moved to the north side of the building with the building acting as a further buffer, or both.

The ordinance also makes it a goal to secure and provide social and economic advantages resulting from orderly development. The use of buildings in agricultural areas for the purposes of kennels has been determined by the Board to be an appropriate use of land in the past due to the sparse nature of development. The final goal of the Zoning Ordinance is to facilitate adequate but economical provisions for public improvements. The proposed use should not result in a need for additional public improvements.

Compatibility of Use with the Appearance and Essential Character of Area

Since the proposed special use will be in existing buildings and located behind other structures, there will be minimal visual change in the property, except as seen with fencing for outdoor exercise areas. The building site is typical of a rural residential parcel. Generally, kennels have been determined as compatible with rural acreages due to the nature of sparse development. This particular area has several residences close together, and the character of a business will draw additional traffic that will alter the activity onsite. Due to the cluster of several residences, any potential approval should be accompanied by conditions that reduce visual, noise, and dust impacts (discussed below).

Impact on Existing and Futures Uses, Vicinity, and Community as a Whole

No agricultural land is being taken out of production for the purposes of this use. Further, the use should have no impact on surrounding agricultural uses in proximity to it.

Potential noise from barking dogs is an impact that should be addressed by conditions with any approval. Both nearby houses are within 600' of the proposed outdoor exercise area, and any approval would require waiver of this requirement, which has been requested by the applicant. The adjacent neighbor to the south has provided consent to the business in a letter accompanying the application. Staff suggests that the outdoor exercise areas should be relocated to the north side of the building to make use of the building itself as a sound buffer for neighbors to the south and would better take advantage of existing vegetation for the same purpose (See Figures 3 & 4). There is no residence within a ¼-mile to the north, so the relocation of the outdoor exercise area would be negligible pertaining to noise regarding other neighboring properties. An updated site plan and floor plan would need to be provided for this change. This suggestion has been communicated to Thompson. Any amended site plan will be shared with the Board at the hearing. The Board could consider additional vegetation or buffering requirements if it finds necessary to further mitigate noise impacts for any potential approval. Additionally, Thompson has contemplated limiting the maximum numbers of dogs being taken outside at a time for exercise, which would also be helpful in that regard.

Boarding kennels can generate a considerable amount of traffic with employees and customers dropping off and picking up dogs. Thompson anticipates a capacity of being able to board about 50 dogs at full capacity, which could potentially generate 240 or more trips per day on Jonquil Avenue. Jonquil Avenue is a gravel-surfaced road and will generate dust impacts for neighbors along the travel route. The most likely route for the vast majority of customers coming to and from the proposed business will be from the Iowa Highway 122 to the south. There are three dwellings along this route: 18998 Jonquil Avenue, 18980 Jonquil Avenue, and 17539 Jonquil Avenue. Providing dust control as desired by the owners of these properties should be made a condition of any approval.

Additionally, sufficient parking should also be provided for all employees and customers. There generally appears to be enough gravel-surfaced area in front of the machine shed to provide sufficient parking for a few employees and customers. A condition of any approval should prohibit any parking within the public right-of-way of Jonquil Avenue.

Adequacy of Public Services

(i.e., highways, streets, police, fire protection, drainage structure, refuse disposal, water and sewage facilities, or schools)

Jonquil Avenue is gravel-surfaced, so dust can potentially affect neighbors along the route as customers travel to the proposed business. Jonquil Avenue currently carries average of 90 vehicles per day. The County Engineer noted that dust control may be required if their office receives fugitive dust complaints. A condition of any potential approval should require dust control be provided by Thompson if desired by residents along the route from Iowa Highway 122.

Law enforcement protection is provided by the Cerro Gordo County Sheriff's Department. The property lies within the Clear Lake Fire Department's service area. No additional demand for law enforcement or fire protection services are anticipated as a result of the proposed special use.

There is no mapped floodplain on the property. The property is partially within Drainage District No. 48. The County Auditor's Office has been provided the opportunity to comment. Any comment received will be shared with the Board at the hearing.

Water is from a private well, and wastewater is treated by an on-site system. The property is outside of the Environmental Resources Overlay District and the Clear Lake Sanitary District service area. CG Public Health approval for well and septic extensions, if ever proposed by the Thompson, should be a condition of the permit, if approved. CG Public Health noted that there is potential for the well to qualify as a public water supply. If such qualifications are met, the Iowa DNR regulates public water supplies, and a permit may be required by the state.

CG Public Health becomes involved if floor drains for washing waste out of the kennels are connected to a septic system or if a new well or septic system needs to be installed. The existing private well has a history of testing high for elevated bacteria and arsenic levels. Annual well tests are recommended, which is a service the department provides at no cost. The onsite well may qualify for public water supply requirements as regulated by the Iowa DNR if certain criteria are met, typically if humans will have access to water and certain number thresholds are met. Thompson anticipates providing grooming services in the future as a part of the proposed special use. The DNR or EPA may regulate wastewater if certain chemicals are used, more than 1,500 gallons per day are used, or if wastewater meets the definition of non-domestic wastewater.

Thompson will be responsible for the proper disposal of dog waste. According to the narrative, dog waste will be gathered and composted. CG Public Health notes that waste should be handled so as not to create a health nuisance that may interfere with the enjoyment of neighboring properties and must not enter any on-site septic system.

The proposed use should not have an impact on schools.

Public Cost for Additional Public Facilities and Services

The need for additional public facilities or services resulting from the proposed use is not anticipated.

Potential Detriments to Persons, Property, or General Welfare

(i.e., excessive traffic, noise, smoke, glare, or odors)

Please see the previous discussion regarding noise and traffic under the impacts section. If dog waste is cleaned and composted, odors will likely be emitted. Managing the emission of odor should be a condition of any approval. No smoke, fumes, or glare are anticipated.

Compatibility and Consistency with the Intent and Purpose of the Zoning Ordinance

The A-1 district is intended to permit the continued use of land for agricultural purposes. While kennels do not provide a direct service to the agricultural community, they are allowed by Special Use Permit in the A-1 district. No land will be taken out of agricultural production for the establishment of the kennel.

Compatibility with County Comprehensive Plan

Boarding kennels are not specifically addressed in the comprehensive plan, but the plan encourages the use of performance standards. The minimum setback standards of 200' to property lines and 600' from dwellings for outdoor exercise areas are such performance standards. However, the outdoor exercise area for the proposed special use will be less than 200' from the north property line and less than 600' from the two closest residences to the south. Additional conditions should be attached to any approval to mitigate potential noise impacts if the Board finds that it can be sufficiently mitigated for the residents of dwellings to the south. At a minimum, staff recommends that the outdoor exercise areas be relocated to the north side of the building to act as a buffer and better take advantage of existing vegetation onsite to mitigate to potential noise for neighbors to the south. No farmland will be affected by the special use.

COMPLIANCE WITH ADDITIONAL ARTICLE 20 REQUIREMENTS

Staff comments are in bold below. Additional requirements for the special use requested are as follows:

20.2 SPECIAL USES

- W. Animal hospital and veterinary clinic; commercial kennels for the raising, breeding or boarding of dogs or other small animals. Any outside exercising runways shall be at least two hundred (200) feet from all property lines and not nearer than six hundred (600) feet from any zoned residential district, incorporated boundary line or dwelling other than the lessee or owner of the site. A-1 and A-2 Districts. **The property is in the A-1 District. The proposed outdoor exercise area is about 56' from the north property line. The property is relatively long and skinny for the A-1 District, so a waiver from this requirement would be necessary no matter where such area would be located on the property. Staff recommends the exercise areas be relocated to the north side of the machine shed for**

any potential approval with updated site plans being provided. While this would be closer to the north side property line, this is not a major concern because there is no dwelling located to the north within a least ¼-mile (See Figure 5).

There are two nearby dwellings to the south. The two closest houses are about 350' and 520' from the proposed outdoor exercise area respectively. Moving the proposed areas to the north side of the machine shed will add about 50' of additional separation while providing a noise buffer with the building itself. This would also better take advantage of the existing vegetation to help with noise mitigation. The Board could further consider having a condition to add further buffering if you find that more noise mitigation would be necessary for any approval. The owner of the nearest residence has provided signed consent in a letter provided with the application. However, noise mitigation should still be a priority for any potential approval in case there is a change of ownership in the future.

ZONING DISTRICT REQUIREMENTS

Staff comments are in bold below. Requirements of the zoning district for which the proposed special use is to be located are as follows:

A-1 District

- Minimum parcel size is 10 acres. **The property is 10 acres in size.**
- 7.5 Height Regulations. No building hereafter erected or structurally altered shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet. **The proposed special use will utilize the existing machine shed, which meets this requirement.**
- 7.6 Yard Requirements. Each lot shall have front, side and rear yards not less than the depths or widths following:
 - A. Front yard depth, fifty (50) feet.
 - B. Each side yard width, twenty-five (25) feet.
 - C. Rear yard depth, thirty (30) feet.

The machine shed meets these minimum requirements.

STATUTORY REQUIREMENTS

- Commercial boarding kennels are required to obtain a license under Section 162.5A, Iowa Code. The Department of Agriculture and Land Stewardship issues the licenses. Animal pounds, shelters, breeders, auctioneers, and dealers are regulated under a separate section of Iowa Code.
- As discussed, the applicant may be subject to regulation by the DNR and/or EPA depending on how wastewater is treated and removed, and if animals will be washed using certain chemicals that may be contained in certain animal shampoos, such as for flea and tick treatments. The DNR may also regulate the well if it qualifies as a public water supply.
- The applicants may be subject to health department regulation for well and septic systems. If floor drains would ever be installed in the kennel buildings and connected to the septic system, the applicants would be subject to health ordinances. In addition, if Thompson installs any system to handle animal wastes, Health Department approval might be necessary.

DEPARTMENT COMMENTS

County Engineer: The County Engineer noted that providing dust control for neighbor's may be required if a fugitive dust complaint is received. A driveway permit is required for any new driveway.

CG Public Health: The proposed use is not likely to impact the existing private well or septic system. The well has a history of testing high for elevated bacteria and arsenic levels. Annual well tests are recommended, which is a service the department provides at no cost. The onsite well may qualify for public water supply requirements as regulated by the Iowa DNR if certain criteria are met, typically if humans will have access to water and certain number thresholds are met. The DNR or EPA may regulate wastewater if certain chemicals are used, more than 1,500 gallons per day are used, or if wastewater meets the definition of non-domestic wastewater. The applicant is responsible for ensuring that all requirements of the Iowa Department of Agriculture and Land Stewardship and DNR are met.

Thompson will be responsible for the proper disposal of dog waste. CG Public Health notes that waste should be handled so as not to create a health nuisance that may interfere with the enjoyment of neighboring properties and must not enter any on-site septic system.

County Auditor: The County Auditor's Office has been provided the opportunity to comment. Any comment received will be shared with the Board at the hearing.

STAFF ANALYSIS AND RECOMMENDED ACTION

The property is tough to locate a kennel on due to its narrow width relative to the A-1 Districts minimum size of 10 acres. Boarding kennels are ideal to locate in less dense areas where there is minimum impact to neighbors. The subject property would need a waiver of the minimum 200' setback from property lines and 600' from dwellings and residential districts for outdoor runs due to the lot width and being clustered with two other dwellings, if it was to be approved. The closest neighbor has provided signed consent in a letter submitted with the application. The dwelling located at 18980 Jonquil Avenue is about 570' from the recommended location for the outdoor exercise area if the outdoor exercise area is relocated as recommended.

The Board's decision should focus on impact mitigation, namely regarding noise and dust control. First, providing dust control along the likely route to the proposed special use along Jonquil Avenue from Iowa Highway 122 as desired by the owners of the applicable properties should be made a condition of any approval. Second, any decision of approval should provide sufficient provisions for noise mitigation. Staff recommends requiring all outdoor exercise areas to be located on the north side of the machine shed to utilize the building itself as a noise buffer and to better take advantage of existing vegetation, which would put some significant additional noise buffering in between the acreages and the special use. The Board could require additional noise mitigation measures, such as additional fencing or vegetative buffers be installed if it finds that it would achieve sufficient mitigation. If the Board find that sufficient mitigation cannot be achieved, denial may be justified.

RECOMMENDED CONDITIONS TO BE MET IF POSITIVE VOTE BY BOARD OF ADJUSTMENT

Note: In granting a Special Use Permit, the Board of Adjustment may attach conditions which it finds are necessary to carry out the purpose of the Zoning Ordinance, in conformance with what is provided in Article 20 of the Zoning Ordinance, and where reasonable and necessary may increase the required lot or yard, control the location and number of vehicular access points to the property, limit the number of signs, limit coverage or height of buildings because of obstruction to view and reduction of light and air to adjacent property, and require screening and landscaping to reduce noise and glare and maintain the property in character in keeping with the surrounding area. Special uses shall ordinarily comply with the standards of the district concerned for principal uses which are permitted therein, except as modified by the Board of Adjustment in granting a Special Use Permit.

1. This Special Use Permit may be reviewed at any time in the future upon the request of the applicants or a majority of the Board of Adjustment members.
2. The provisions and/or regulations as stated shall be minimum requirements and wherever the requirements of any other lawfully adopted rules, regulations, or ordinances are at a variance, the most restrictive shall govern.
3. It is contemplated that from time to time during the operation of the boarding kennel that conditions may arise which are not covered by the terms of this permit and which cannot be anticipated. In the event such conditions do arise, the Board of Adjustment of Cerro Gordo County, Iowa, may impose additional regulations to meet any new conditions. In addition, if said facility should, at any time, be operated in any manner which violates the rules and regulations of any federal or state regulatory agency, then the Board of Adjustment may impose such other conditions so as to ensure compliance with such rules and regulations.
4. This permit will be subject to revocation for operator's failure to comply with the provisions as herein set forth or such other provisions as may, from time to time, be imposed by the Board of Adjustment of Cerro Gordo County, Iowa, under the terms of this permit.
5. County representatives shall have the right to enter the premises at any time upon notification to the permit holder for the purposes of enforcing the provisions of this Special Use Permit.
6. Any other necessary permits or licenses required by federal, state, and local agencies shall be obtained by the applicant and current copies placed on file with the county Planning and Zoning Office, including but not limited to CG Public Health, the Iowa Department of Agriculture, the Iowa Department of Natural Resources, and the Environmental Protection Commission.
7. This Special Use Permit is granted to Brian Thompson and any successors and assigns and is not transferrable to any other party or parties.
8. The operator's statement is hereby adopted as presented. All outdoor exercise areas shall be located on the north side of the kennel building. The applicant shall provide an updated site plan and floor plan that is consistent with this requirement prior to beginning operation. The minimum 200' setback requirement from the north side property line and the minimum 600' setback requirement from the two closest dwellings are hereby waived. The Board of Adjustment shall have the right to review any proposed change in or expansion of the special use.

9. A Zoning Permit shall be obtained for all improvements to the kennel building and all new structures, including fencing, to be used for the special use. A site inspection shall be completed by the Zoning Administrator after completion of construction to verify all operations shall be consistent with the conditions of this permit.
10. Failure to obtain necessary permits and licenses for the kennel operation within one year of the date of final approval of this permit shall void the permit.
11. Thompson is allowed one, unlit, advertising sign, for the kennel that is no larger than 32 square feet in size without a separate Sign Permit. Any additional signs shall require a Sign Permit be obtained by Thompson as otherwise required by the Zoning Ordinance.
12. The owners of the following properties shall be contacted annually by Thompson offering to apply dust control up to twice each year at Thompson's expense as desired by those property owners along Jonquil Avenue running adjacent to their respective property. The number of feet indicated in parentheses shall be the minimum number of feet running with the length of the respective road, if dust control is desired:
 - 18998 Jonquil Avenue (220 feet)
 - 18980 Jonquil Avenue (190 feet)
 - 17539 Jonquil Avenue (260 feet)

All dust control shall be applied by a contractor licensed by the County Engineer's Office following established procedures. Thompson shall keep records including contacts made to these residents and dust control applied. Those records shall be made available to the Zoning Administrator upon request.

13. Sufficient onsite parking shall be provided to accommodate all employees and customers. Parking within the public right-of-way of Jonquil Avenue shall be prohibited.
14. Thompson shall be responsible for the proper disposal for animal waste and shall not cause any health nuisance as regulated by CG Public Health.

BOARD DECISION

The Board of Adjustment may consider the following alternatives:

Alternatives

1. Grant the requested Special Use Permit Application subject to any condition as deemed necessary by the Board (The Board reserves the right to remove, amend, or add additional conditions from those recommended as deemed necessary).
2. Deny the requested Special Use Permit Application.

The following motions are provided for the Board's consideration:

Provided motion of **approval**:

To adopt the staff report as the Board's findings and to grant the application, subject to the conditions recommended by staff and as modified by the Board of Adjustment, for the placement of an agricultural-commercial neighborhood business, and further, that the grant of the application be made effective immediately and on the condition that **[NAME OF APPLICANT]** shall perform all operations under the application under the specific direction of the Cerro Gordo County Zoning Administrator, consistent with the proposed conditions and recommendations approved by the Board of Adjustment, until such time as a formal resolution is drafted and adopted by the Board of Adjustment, not to exceed 60 days.

Provided motion of **denial**:

To adopt the staff report as the Board's findings and to deny the application for the reasons stated in the staff report as well as for the following reasons: **[STATE ADDITIONAL REASONS FOR DENIAL, IF ANY]**. Said reasons for denial shall be stated in the official transcript and minutes of the Board of Adjustment, and shall be made in writing to the applicant in letter form by the Board's secretary.

EXHIBITS

- Exhibit 1: Figures
- Exhibit 2: Special Use Permit Application
- Exhibit 3: Operator's Statement
- Exhibit 4: Signed consent letter
- Exhibit 5: Site plans
- Exhibit 6: Aerial photo of site
- Exhibit 7: CG Public Health comments

Figure 1

Looking at the machine shed proposed to be converted to the boarding kennel



April 27, 2023, J. Robbins

Figure 2

Looking at the proposed outdoor exercise area on the west side of the machine shed



April 27, 2023, J. Robbins

Figure 3

Looking toward the vegetation to the south of the proposed boarding kennel location



April 27, 2023, J. Robbins

Figure 4

Looking at the north side of the building



April 27, 2023, J. Robbins

Figure 5
Looking north from the subject property



April 27, 2023, J. Robbins

SPECIAL USE PERMIT

APPLICATION

Date Filed _____

Date Set for Hearing _____

Case Number: _____

Applicant Name: Brian Thompson

Phone: 641-387-6788

E-Mail: thompson.brian1986@yahoo.com

Mailing Address: 19030 Jongvil Ave Clear Lake, IA 50428

Property Owner Name: Brian Thompson

Phone: 641-387-6788

E-Mail: thompson.brian1986@yahoo.com

Property Owner Address: 19030 Jongvil Ave Clear Lake, IA 50428

Property Description (Not to be used on legal documents): Parcel # 023340000500 Township Lincoln

Property Address: 19030 Jongvil Ave Clear Lake, IA 50428 Zoning: A-1 Agricultural

Brief Legal Description:

Type of Special Use Requested: Boarding Kennel

Special Use Description: Please provide a general description of the proposed special use.

- See Supporting Documents -

*Attach all required items listed in the application checklist, including written operator's statements, site plan, filing fee, and all other materials required to be submitted with this application

I am the ☒ Owner ☐ Contract Purchaser ☐ Other (Explain) _____

_____ of the property affected.

I, the applicant, being duly sworn, depose and say that I am the owner or that I am authorized and empowered to make the accompanying application; and that the information provided is true and correct, and actual construction, as applicable, and operation of the proposed special use will proceed in accordance with the purposes herein stated on the application and all submitted materials. I further agree to any conditions and/or requirements the Board of Adjustment may stipulate. The Planning & Zoning staff and Board of Adjustment members are also given permission to enter the above property in reviewing this application.

Applicant Signature _____

Date 4/3/2023

Thompson Dog Boarding

My name is Brian Thompson. My family and I reside at 19030 Jonquil Ave. We are filing for a special use permit to transform our 50' x 100' machine shed into a 50-unit dog boarding facility. We appreciate your time and consideration in this permit process.

There are a few reasons why we want to do this. We want to create a family run business, my daughter wants to become a certified dog groomer, and we love dogs. We want to create a new, fun, and safe environment for dogs to be boarded when the need arises for their owners. We want to build relationships with local dog owners so they can rely on us and know their pet is well taken care of and safe when boarded. As with other boarding facilities, we will also accept other domesticated pets.

This will truly be a family business. I will take care of planning, financials, and implementation. My wife will oversee promoting, marketing, scheduling, and day to day operations. My 17-year-old daughter and 16-year-old son will be kennel attendants, when not in school or school activities. Having this business will be a great learning opportunity for all my children in many different aspects of life and business, something that you don't necessarily get from traditional schooling.

We have not had a professional interior drawing done yet due to waiting for approval of this permit. However, we plan on a fully sealed cement floor with drains, fully insulated interior with finished walls, full HVAC, laundry/bathroom, individual kennels, dog grooming, and interior run/play area for inclement weather. We truly want to transform our machine shed into a brand new, fully revamped dog boarding facility.

We have also taken into consideration the potential effects of the surrounding area if this permit is approved. Some of the considerations are traffic, noise, waste disposal, and safety.

Traffic on Jonquil Ave is high already for a secondary road in my opinion. There are constantly cars, trucks, semis, and farm equipment utilizing the road daily. I work from home and witness this firsthand.

The biggest impact would be the increase of traffic from Hwy 122 to the boarding facility. This is a stretch of road that is only 1.5 miles long. The motor grader was already constantly maintaining the road last fall when we moved in, and it continues to do so this spring. There would be no need to increase frequency of road maintenance due to customer traffic in my opinion.

Noise is something that my wife and I have thought about frequently when planning for this. With the utilization of spray foam insulation, finished walls, and interior sound deadening I believe we will be able to mitigate noise quite well. The only time noise might be considered an issue would be when dogs are outside in the dog run. To minimize this as much as possible dogs will be brought out in small groups and cycled through.

Waste disposal is another aspect that has been considered. Our acreage consists of just under 10 acres of land. We plan to compost the waste and spread it over the 7 acres of grass land we have on our acreage. If composting does not keep up, we will seek other ways to dispose of the waste properly.

The last consideration is safety. We want a business that is known for putting safety at the forefront of its business plan. We plan on having self-closing doors to mitigate the risk of a door being left open and a dog potentially exiting the facility unknowingly. We also plan on having 8' tall fencing in place for the outdoor dog run to eliminate the possibility of dogs being able to jump the fence. At the end of the day, we want all dogs to return safely to their owners.

My family and I are very excited to make this opportunity become a reality. If there is any other information you need from me or clarification on any aspect/risk mitigation, please let me know. Thank you again for your time and consideration.

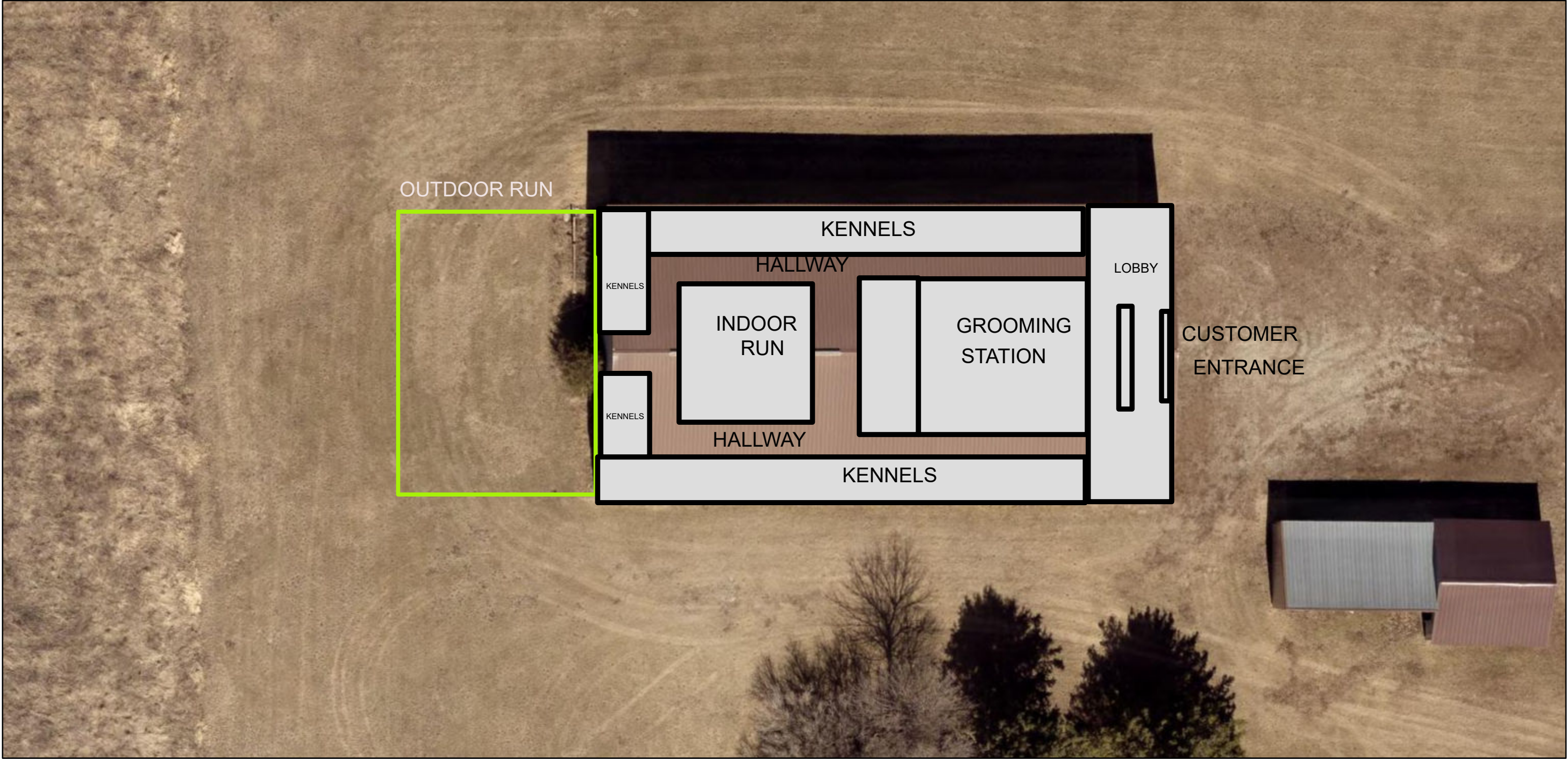
ADDENDUM 1 - 4/17/2023

I ask that the setback and proximity guidelines be waived in this situation. I was informed that the setback needs to be 200' from property lines. I can only accomplish this on 3 sides of the proposed location on my property. It is roughly 50' +/- from the property line to the North. There are no neighbors to the North within 200', only farmland.

I also ask that the 600' distance from non-participating residences be waived also. I spoke with my neighbor to the South, John Tofte. We had a conversation about the proposed plan for the boarding facility and the outdoor dog run. After our conversation, Mr. Tofte said he and his wife would be ok with our proposed plans. Mr. Tofte also signed off on a document stating that fact. I have submitted a copy of that document to go along with the application.

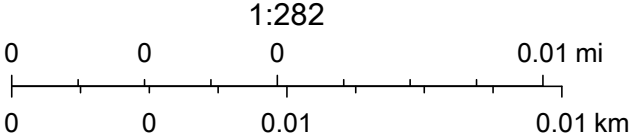
I appreciate your consideration in this matter. Thank you.

CONCEPT INTERIOR LAYOUT



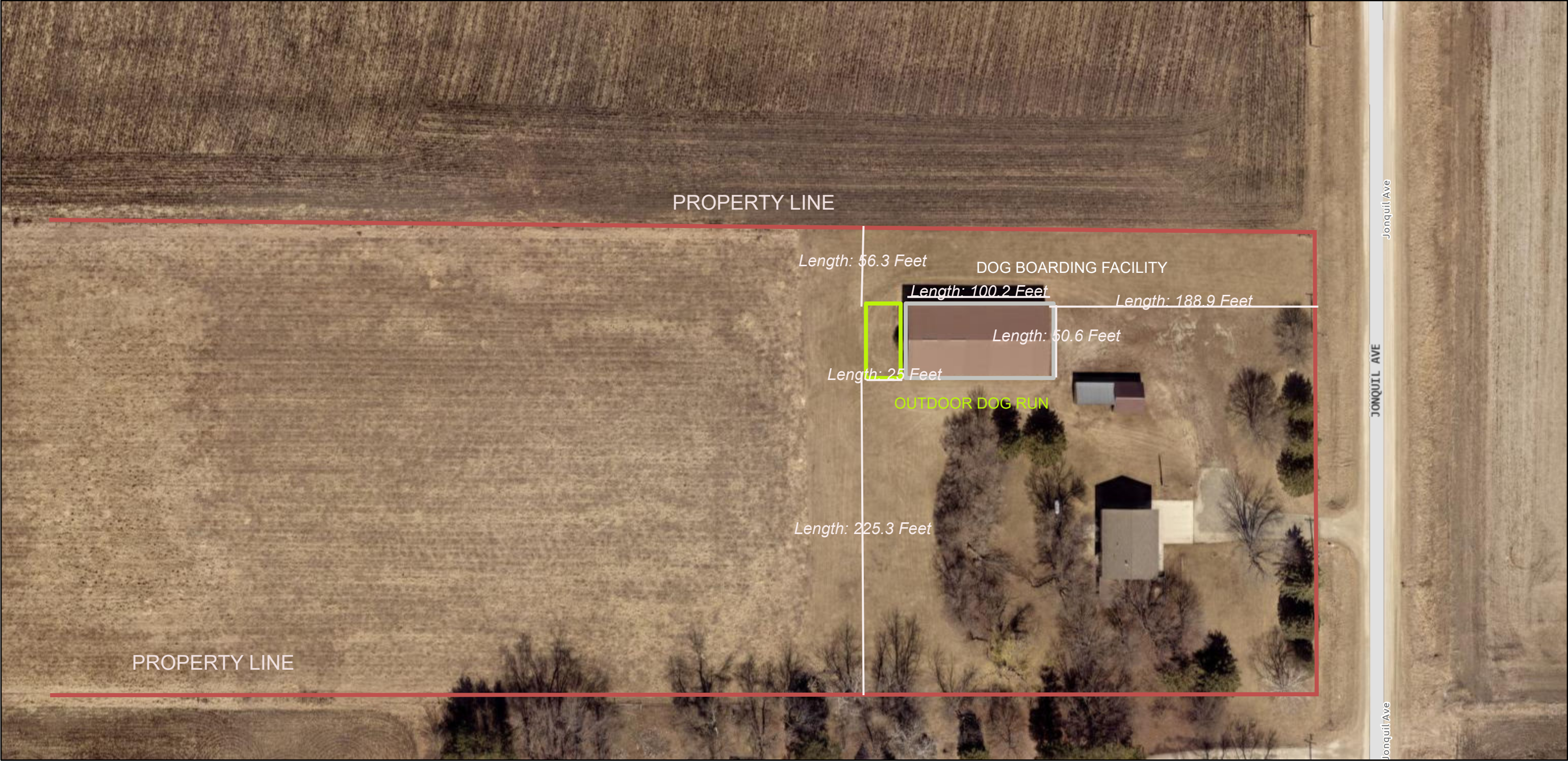
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 Tax Parcels



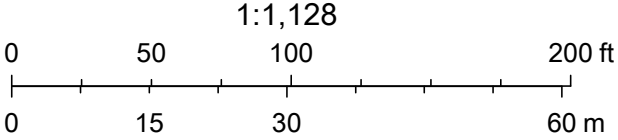
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Thompson Dog Boarding Site Drawing



4/3/2023, 12:52:18 PM

Roads-0-4



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33

34

JONQUIL AVE

4

3



PUBLIC HEALTH

healthier together

DATE: May 2, 2023

TO: John Robbins, Cerro Gordo County Planning and Zoning

FROM: Daniel Ries, Senior Environmental Health Specialist

SUBJECT: Proposed Special Use Permit Application for BRIAN THOMPSON BOARDING KENNEL

This memo is to provide comments related to the request for a proposed special use permit for **BRIAN THOMPSON BOARDING KENNEL** located at 19030 Jonquil Ave, Clear Lake in Section 33 of Lincoln Township. The proposal is for the transformation of a machine shed into a 50-unit dog boarding facility. The main concerns from the perspective of the Cerro Gordo County Department of Public Health Environmental Health Division are the proper disposal of waste, wastewater, and safe drinking water.

Wastewater Disposal System

If a human restroom(s), shower room, or similar facility is installed in the proposed dog boarding building; a septic system will need to be installed. The septic permitting process must be done through this Department.

The proposed boarding facility should have no impact on the existing septic system for the house which was installed in 1994. The distance between the house septic system and the proposed boarding building is roughly 150 feet.

Dog Waste

The Cerro Gordo County Department of Public Health does not have any specific rules on the disposal of kennel waste; however, a health nuisance shall not be created. "Health nuisance means whatever is injurious, hazardous or dangerous to public health or safety, or degrades the natural environment, including but not limited to those things, conditions or actions which are offensive to the senses, or an obstruction to the free use of property, so as to unreasonably interfere with the comfortable enjoyment of life or property."

Waste shall be disposed of in a manner that meets any Iowa Department of Agriculture and Land Stewardship and Iowa DNR rules. The dog kennel waste must not enter an on-site wastewater disposal system (septic system) or any surface waters.

Water Supply

The well attributes (age, depth, etc.) of the well are not well known. However, there has been some history of elevated bacteria and arsenic levels over the years. The well is located 90-100 feet from the proposed kennel. The department does not have any requirements for drinking water quality related to

animal welfare; however, it should meet all requirements of the Iowa Department of Agriculture and Land Stewardship for kennels (if there are requirements) If human customers will have access to water (restrooms, drinking fountains, or similar facilities); **it is recommended that a water test be conducted annually.**

If human customers have access and it meets the definition of a public water supply, it must be permitted with the Iowa DNR. *“A public water supply system is defined as a system that provides water for human consumption that has at least 15 service connections or serves at least 25 people at least 60 days during the year”.*

General

The applicant shall comply with all Iowa Department of Agricultural and Land Stewardship and/or USDA rules as they apply to kennels.

Cc: Jodi Willemsen, Cerro Gordo County Department of Public Health