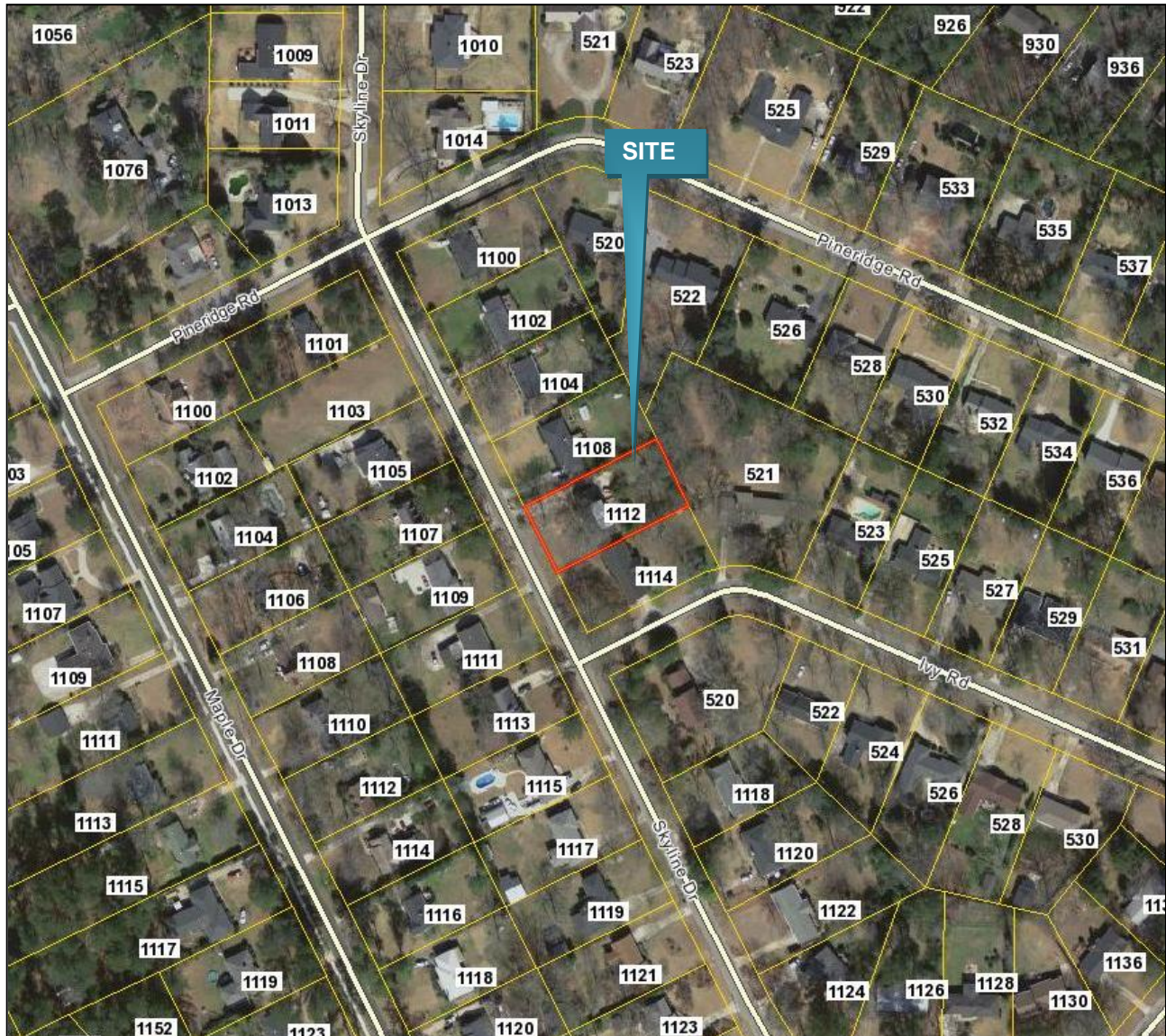


1112 Skyline Drive
Special Use Permit Request
File No. 14-SUP-01

Applicant: Cynthia Cohran McIver
Owner: Cynthia Cohran McIver



Request:

Mrs. Cynthia Cohran McIver is seeking approval of a Special Use Permit to allow for a *Non-Commercial Kennel* to be located at 1112 Skyline Drive.

Proposal:

The property is presently zoned Low Density Residential-B (LDR-B) and is designated for residential land use. A Special Use Permit is required to operate a non-commercial kennel. The applicant works with various animal shelters to save dogs from being euthanized. The applicant personally owns two (2) dogs that reside at 1112 Skyline Drive and requests to allow a maximum of three (3) temporarily kenneled rescued dogs. The applicant states she kennels the rescue dogs an average of one to two weeks before they are sent to various rescue groups.

Land Use Classification	Residential
Current Zoning	Low Density Residential-B (LDR-B)
Proposed Use	Non-commercial Kennel
Parcel Size	0.48 +/- acres
Tax Map, Block and Lot No.	035-30-023
Board of Commissioner Member	Ryan McLemore, Mayor, District 3
Planning and Zoning Member	David Castile, District 3
Planning and Zoning Board	June 16, 2014
City Commission	July 8, 2014
Citizen Notification	Legal Notice was run in the May 30, 2014 edition of the <i>Griffin Daily News</i> for the Planning & Zoning Meeting and for the City Board of Commissioners Public Hearing. A sign was placed on the proposed property, illustrating the purpose, date and time of both meetings (05/30/2014).



Zoning Ordinance Sections applicable to this Application:

The following sections of the City of Griffin's Unified Development Code (UDC) apply to the Special Use Permit request:

Article 4. Section 406
Article 4. Section 408
Article 7. Section 706
Article 7. Section 704

Special Use Permit Provision
Public Hearing
Low Density Residential-B (LDR-B)
Table 7.3 Uses for all zoning districts

Article 406 Special Uses:

ALL PROPOSED SPECIAL USES FOR PROPERTY SHALL BE EVALUATED IN LIGHT OF THE FOLLOWING STANDARDS:

1. IT MUST NOT BE DETRIMENTAL TO THE USE OR DEVELOPMENT OF THE ADJACENT PROPERTIES, OR TO THE GENERAL NEIGHBORHOOD SO AS TO ADVERSELY AFFECT THE HEALTH, SAFETY OR GENERAL WELFARE OF CITIZENS;

FINDINGS: Upon review and evaluation of the applicant's request, Planning Staff cannot find any detrimental impacts on the development of adjacent properties. The applicant utilizes a kennel in the carport or in the backyard along the east property boundary, under a shade tree. The applicant has indicated that the yard is cleaned daily of any dog waste. If approved, the *Non-Commercial Kennel* use at this location will not adversely affect the health, safety and welfare of the general public.



2. IT MUST NOT ADVERSELY AFFECT EXISTING PROPERTY AND USES AND IT MUST BE PROPOSED TO BE PLACED ON A LOT OF SUFFICIENT SIZE TO SATISFY THE SPACE REQUIREMENTS FOR THE USE;

FINDINGS: Granting the Special Use Permit request will not adversely affect the existing property or use. The property in question is of sufficient size as required by *Article 706 C*, of the UDC. Animal Control records indicate one (1) complaint received on February 2, 2014 for the number of dogs at the residence. Prior to February 2, 2014, Animal Control records indicate no other complaints have been filed dating back to 2009 for the property located at 1112 Skyline Drive. The applicant has provided a petition signed by neighbors (see attached Petition) which states the proposed Special Use. The applicant states that if the dogs show any signs of barking or being a nuisance of any kind, the dog(s) and kennel(s) are moved inside her home.

3. GENERAL COMPATIBILITY OF THE PROPOSED SPECIAL USE WITH ADJACENT PROPERTIES AND OTHER LAND USES IN THE GENERAL AREA.

FINDINGS: The applicant's proposed use is compatible with the adjacent properties and land uses within the area. A non-commercial kennel is for the keeping of five (5) or more dogs that are at least ninety (90) days old; pursuant to *Article 706 D*, of the UDC. The applicant has indicated that the maximum number of *rescue* dogs that she will have at one time is three (3). The rescue dogs will stay approximately one to two weeks at her home in addition to the applicant's two (2) personal owned dogs. Over the past year, the applicant estimates that she has rescued approximately 30 to 40 dogs from being euthanized at Spalding Animal Control and Butts County Animal Control.

4. THE PROPOSED USE WILL NOT CONSTITUTE A NUISANCE OR HAZARD OR OTHERWISE ADVERSELY AFFECT THE PUBLIC INTEREST BECAUSE OF THE NUMBER OF PERSONS WHO MAY NORMALLY BE EXPECTED TO USE SUCH FACILITY OR TYPE OF PHYSICAL ACTIVITY.

FINDINGS: The proposed use should not constitute a nuisance or hazard or otherwise adversely affect the public interest of the surrounding properties due to the maximum number of dogs allowed for a non-commercial kennel. The dogs receive a veterinarian examine from Memorial Drive Veterinary office prior to coming to the applicant's home. The veterinary exam includes a physical exam, heartworm and rabies test and treatment if required. All dogs are kept in kennels and are moved inside if they bark.

5. OTHER ITEMS THAT MAY BE CONSIDERED INCLUDE TRAFFIC FLOW, AVAILABILITY OF OFF-STREET PARKING, PROTECTIVE SCREENING, HOURS AND MANNER OF OPERATION OF THE PROPOSED USE, OUTDOOR LIGHTING, SIGNAGE AND INGRESS AND EGRESS TO THE PROPERTY.

FINDINGS: No additional parking is required for the proposed Special Use. The proposed non-commercial kennel includes outdoor kennels, hours of operation are not indicated and screening is not required by code.

6. THE APPLICANT MUST MEET ALL SPECIFIC REQUIREMENTS ESTABLISHED IN THIS ORDINANCE FOR THE PARTICULARIZED SPECIAL USE REQUESTED.

FINDINGS: This request is in compliance with all of the Special Use Permit provisions of the City of Griffin Unified Development Code.

Planning Staff's Comments:

The applicant's request for a Special Use Permit to operate a non-commercial kennel at 1112 Skyline Drive has been reviewed in accordance with requirements outlined under *Section 406 and 408* of the City of Griffin's UDC. Planning Staff has found that the request for the Special Use Permit for a *Non-Commercial Kennel* at this location is in compliance with the requirements outlined in the zoning ordinance.

Planning staff visited the site on June 2, 2014 and found three (3) dogs on premise. The dogs appeared well cared for and did not bark during the visit. The applicant provided a petition signed by neighbors indicating their knowledge of the *Non-Commercial Kennel* Special Use Permit application. One complaint regarding the number of dogs at the residence was called in on February 2, 2014 to Animal Control. Animal Control relayed to City staff that their records dating back from 2009 indicate no other complaints for the property located at 1112 Skyline Drive. The applicant began her rescue efforts in early 2013.

Staff is unaware of any similar uses approved or denied within the City of Griffin. The UDC indicates it is a use that is not permitted as a matter of right but may be permitted within a district by approval of the board following a public hearing. A Special Use Permit is valid for a period of one (1) year from the date of approval.

Planning Staff's Recommendation:

Staff recommends **APPROVAL** of the Special Use Permit submitted by Cynthia Cohran McIver to allow for a *Non-Commercial Kennel* located at 1112 Skyline Drive.

Submitted by:

Wanda D. Moore, RLA

Principal Planner

Planning and Development Services