

**RIVES TOWNSHIP PLANNING COMMISSION
PUBLIC HEARING - CONDITIONAL USE PERMIT
8682 LANSING AVE FIRE STATION JACKSON MI 49201
AUGUST 21, 2023**

The Rives Township Planning Commission was called to order on Monday, August 21, 2023 at 6:37 pm.

Members present: Jim Lindstrom - Chairman, Janet Hayward - Secretary, Jon Hoffman - Member and Christine Beecher - Ex-officio member from the Township Board

Members Absent: Jan Hamilton - Member has resigned. Resignation was accepted.

PUBLIC HEARING - CONDITIONAL USE PERMIT

- Begin Public Hearing for Conditional Use Permit at 6:37 p.m.
- Conditional Use Permit: Dog Kennel at 12175 Cooper Rd. requested by Brandon Jacobs.

Applicant filed a Conditional Use Permit for Site Plan approval on September 26, 2021 for a dog kennel and to obtain a kennel license from Jackson County. Brandon provided a drawing of kennel area; the GIS description and arial view of his property; a recommendation for approval from Shawn Lutz, Operations Manager/Animal Control Officer, Jackson County Animal Shelter; an investigative report from Tom Cottrell, then Rives Township Ordinance Enforcement officer; an email response from Dennis Steenrod, current Ordinance Enforcement officer, stating: the township has not received any complaints as of April 2022 at the address 12175 Cooper Rd.; and a copy of the payment of the fee to file.

Public Hearing Notice was published and all neighboring property owners were notified by mail.

PUBLIC COMMENT

1. **Brandon Jacobs**, homeowner and filer of Conditional Use Permit. Brief summary of his intent to raise dogs for hunting trials, not for profit; nor for boarding purposes; nor for breeding for others for profit, and the necessity to acquire a kennel license that covers the entirety of animals on property to be in compliance with current dog licensing regulations in Jackson County.
2. **David Holdwick**, 12214 Cooper Rd. commented that the peace and quiet has been compromised by barking dogs throughout the day and night. Opposed to the dogs and completely opposed to the kennel.
3. **David Pickett**, 2761 Rives Eaton Rd. does not live near address requesting the conditional use permit and attending as a concerned citizen and land owner. Former Rives Township Ordinance Enforcement officer (2014)

received numerous complaints for the property requesting the CUP. Opposes the approval of a Conditional Use Permit for dog kennel siting the current ordinance requirements for kennel licensing.

4. **Cara and Troy Perkins**, 3653 E.Territorial Rd. concerned about the noise the dogs make. Barking and howling. Feels the dogs are neglected because owners are not home to monitor noise. Opposed to kennel licensing.
5. **April and Lee Brownley**, no address provided. Respects Brandon as a good neighbor but have complaints about barking and the smell of feces. Opposed to the possibility of more dogs or kennel licensing.
6. **Stacy Stoner**, no address provided. Agrees that there were complaints in the past at the address requesting the CUP. Opposed to kennel licensing.
7. **Jobeth Carlton**, Palmer St. Inquires on the current number of dogs on property. Current number is 10.
8. **Troy Perice**, no address provided. His property abuts Brandon's property. Complaint: barking affects his ability to hunt on his property.

DISCUSSION

- Planning Commission discusses the intent of use and possible conditions; Chairman reads the reports given to the Planning Commission for review.
 1. Tom Cottrell, former Rives Twp. Ordinance Enforcement officer, I went to the address to investigate a complaint of loud dogs. When I got there, I found no one home but did find the small barn to the southwest of the house had dogs in it. The dogs began barking at me and were all inside the building with appropriate facilities. The dogs were all hunting dogs. I've had a couple of conversations with Brandon and found him to be cooperative and considerate. I'm confident that whatever conditions you may deem appropriate, Brandon will abide by your decision. 9/26/2022
 2. Shawn Lutz, Operations Manager/Animal Control Officer, It was a pleasure meeting you and inspecting your kennels. Upon inspecting your kennels, I found that they are more than adequate for the needs for your dogs as well as to be compliant with the requirements for operating a kennel in Jackson County. They are clean, sanitary and provide excellent shelter for the dogs. The dogs have access to adequate food and water which is properly stored. If you have any questions please feel free to reach out to me anytime. 9/6/2022
 3. Vercilla Hart, Clerk, email correspondence with Dennis Steenrod, current Ordinance Enforcement officer,
Vercilla Hart – I had a resident in earlier today reviewing the Conditional Use Permit for the hearing on Aug. 21, 2023. She asked if the PC knew about the complaints that were filed regarding the dogs. I told her I would contact the Zoning Enforcer and have any information sent to Jim Lindstrom who is the PC Chairperson.

Dennis Steenrod – (reply) The township has not received any complaints since I have been the ordinance officer (April of 2022) at 12175 Cooper Rd. If you need anything further let me know.
8-18-2023

- Planning Commission members continue to discuss and ask questions.
 1. What else are we willing to manage/persue in the future.
Wild animals, odors, dog waste vs. cow manure, etc.
 2. Acreage requirements for kennel licensing at the County level.
 3. Residents were asked, As neighbors are you wanting to change the current situation as it is now or are you just concerned it will get worse or bigger?
Residents stated they wanted current situation changed because it's already too noisy. They feel the dogs are neglected and need more exercise.
Owner responded that the dogs are in appropriate sized areas and are conditioned (running 30-50 miles) every weekend during competitions. Has GPS proof of their movements. He reminded neighbors that the dogs are not pets they are athletes.
 4. Can accomodations be made to sound proof the kennel according to the existing ordinance for a kennel.
 5. Owner asked if his intent is to breed/sell for profit. Answer: No.
 6. Owners intent is personal use to compete in hunting trials/competition hunts. Also to hunt coyote in the wild during the winter months.
 7. Continued discussion on the definition of a kennel.
 8. Discussion of sound ordinance violations.
 9. Question asked of owner on whether to amend, table or to take action.
 10. Discussion: our ordinances are too strict and possibly outdated.
 11. Question to owner: What would you have to change to comply with the requirements from Jackson County? Answer: Nothing.
 12. Owner states that Jackson County would already have issued the kennel license because it is in compliance by their standard but the township rules do not allow it.
 13. Planning Commission asks owner whether he prefers to table the discussion and reapply and amend the language, setting guidlines to reduce noise and define his intent.

PUBLIC HEARING - CONCLUSION

- Chairman Lindstrom concludes Public Hearing at 8:16 p.m.

REGULAR MEETING - RESUMES

- Chairman Lindstrom resumes Regular Meeting at 8:16 p.m.

Submitted by Janet Hayward, Rives Township Planning Commission Secretary