



Urban Planning and Land Use

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To: City Planning Commission
From: City Staff
Date: November 13, 2018
Re: **Petition #SP-2018-92**

GENERAL INFORMATION

Applicant:
Jason and Jami Applegate

Status of Applicant:
Owners
10606 August Drive
Kansas City, Kansas 66109

Requested Action:
Special Use Permit for dog kennel
for four (4) dogs

Date of Application:
September 28, 2018

Purpose:
Applicant has four dogs and is
looking to acquire special use permit to retain existing dogs

Property Location:
10606 Augusta Drive

Existing Zoning:
R-1 Single Family District

Existing Surrounding Zoning: North: AG Agriculture District



South: AG Agriculture District

East: AG Agriculture District

West: AG Agriculture District

Existing Uses: **North:** Undeveloped agricultural land
South: Residential development and agricultural land
East: Residential development; undeveloped agricultural land
West: Piper High School

Total Tract Size: 0.2 acre

Master Plan Designation: Piper Master Plan designates this property as a mixed residential district

Major Street Plan: The City-Wide Master Plan classifies Hutton Road as a class B thoroughfare

Advertisement: The Wyandotte Echo – October 18, 2018
Letters to Property Owner – October 17, 2018

Public Hearing: November 13, 2018

Public Opposition: None to date

PROPOSAL

Detailed Outline of Requested Action: The applicant is applying for a special use permit for a dog kennel in order to retain four dogs. The applicant has had a special use permit in the past for a dog kennel for five dogs at a different address but have since moved and are looking to acquire one for this new address.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The property is in a family residential neighborhood which is within proximity of Piper High School

2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them.*

The nearby properties are zoned R-1 Single Family and A-G Agriculture. Without many surrounding neighbors and undeveloped agricultural land to the north, the keeping of one extra dog shouldn't be an issue.

3. *The suitability of the property for the uses to which it has been restricted. Will removal of the restrictions detrimentally affect nearby property.*

If the owner has a 6-foot fence enclosing the backyard and a proper area for kennels, this would mitigate any factors that are potential detrimental effects for nearby properties

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant

5. *The degree of conformance of the proposed use to the Master Plan.*

Special use permits are not addressed in the Master Plan

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed dog kennel will not increase vehicular traffic

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The dog kennel will not substantially or permanently injure the adjoining properties.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

If dogs are continual barkers, this could create noise that could become a nuisance for neighbors

9. *Whether the proposed use will pollute the air, land or water.*

This is not an issue

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

This is not an issue

11. *The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The gain to the public health, safety and welfare revolves around the noise and odor nuisance that could be created from allowing more dogs than the limit of 3. The hardship that would be imposed on the individual would be loss of companionship and security that the dogs provide.

12. Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.

The proposed use would not result in overcrowding of the land

PREVIOUS ACTIONS

Approval of SP-2016-51

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on October 26, 2018; the minutes are attached.

KEY ISSUES

None

STAFF COMMENTS AND SUGGESTIONS

Urban Planning and Land Use Comments:

1. Please describe/or provide pictures of current fence and shelters for dogs that reside outside at your new residence

Applicants Response: Please see pictures attached to email correspondence. There are 2 yards pictured. Due to the concerns Ms. Cheri Miller stated in her observation and opinions, we submitted our yard from our last residence. While being a smaller yard and having 1 additional larger dog on it (Haley was our largest dog being a lab mix, over 60 lbs., she was who we lost in Feb), we were one of the best kept yards in our neighborhood with green, plush and kid friendly grass! Despite her statement, we are very responsible with our yard and upkeep. We plan to continue our process of maintaining a well-kept yard at our new residence too.

2. Are dogs left outside just while you are away during the day or also at night?

Applicants Response: 2 dogs stay outside 100%: Bhodi and Sasha. Depending on the day, weather temperature/conditions, and if we are home, the 2 small dogs are primarily indoors. Sky is more weather resilient than Jager who is very cold blooded. He prefers to be indoors under a blanket unless it's over 80 degrees.

3. Have there been any issues at this new residence as far as complaints from surrounding neighbors?

Applicants Response: There have been no complaints at our new location. For the past 2 years, we haven't received any complaints after winning our kennel license permit and court case at our last residence.

4. Do you plan on just keeping the four dogs? Are there any plans of replacing the one that passed away this past year?

Applicants Response: Yes, we plan on keeping ONLY our 4 dogs and NOT add any additional pets. Our agreement with the last kennel license was to keep our 5 dogs we brought with us when we relocated to KC. We have no intentions of growing, breeding or any other form of additions to our household. Once we are within city ordinance of 3 dogs, that will remain our limit from there on.

5. Approval would be for two (2) years.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
1) None.
- B) Items that are conditions of approval (stipulations):
1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
1) None

STAFF RECOMMENDATION

Staff recommends that the City Planning Commission make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommend **APPROVAL** of Petition **#SP-2018-92** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

Aerial Photo
Zoning Photo
Meeting Minutes
Yard Photos
Dog Photos
Vaccination Records

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Unified Government Commission</u>
Public Hearing	November 13, 2018	November 29, 2018
Special Use		

STAFF CONTACT: Alex Hufft
AHufft@wycokck.org

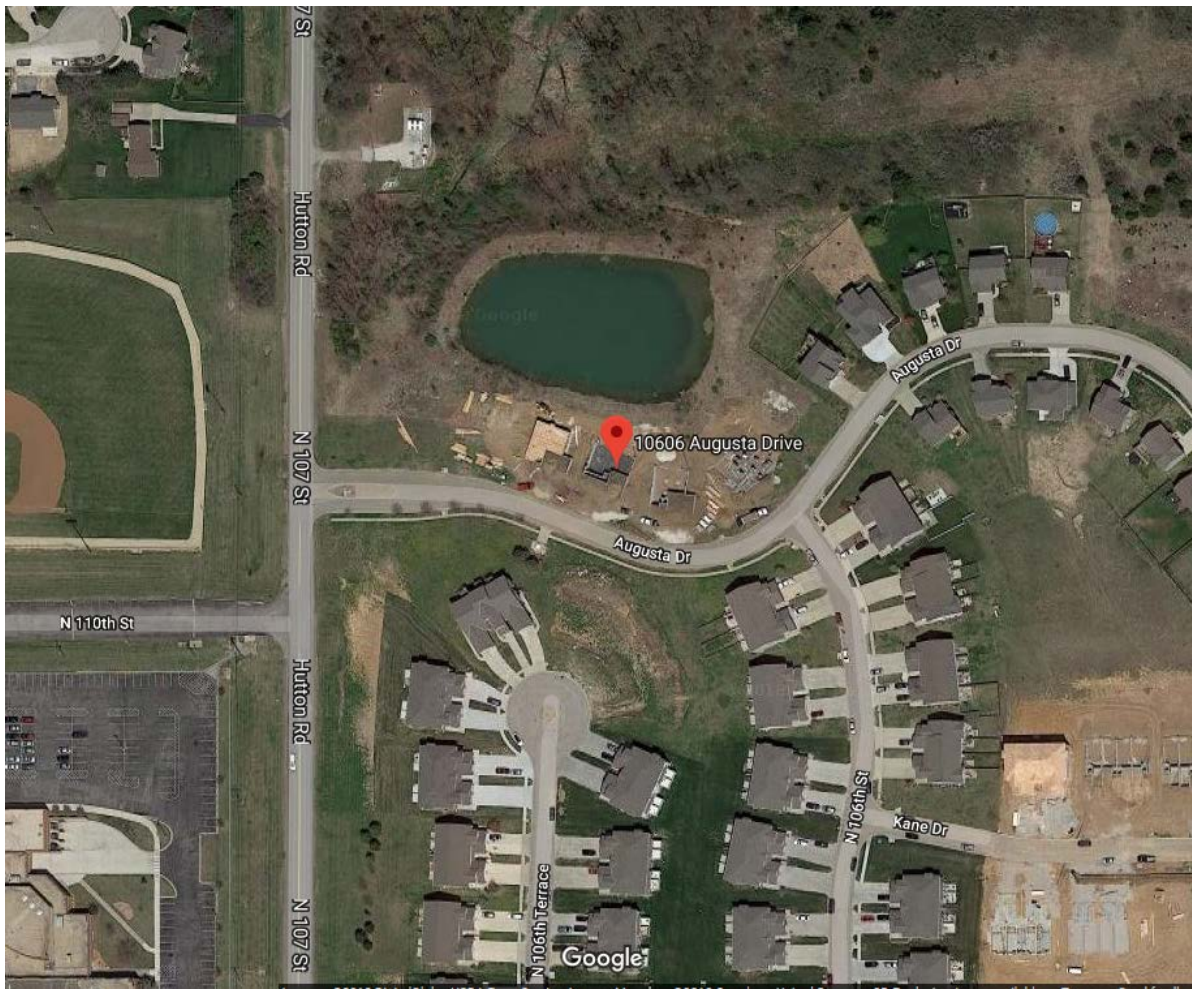
MOTIONS

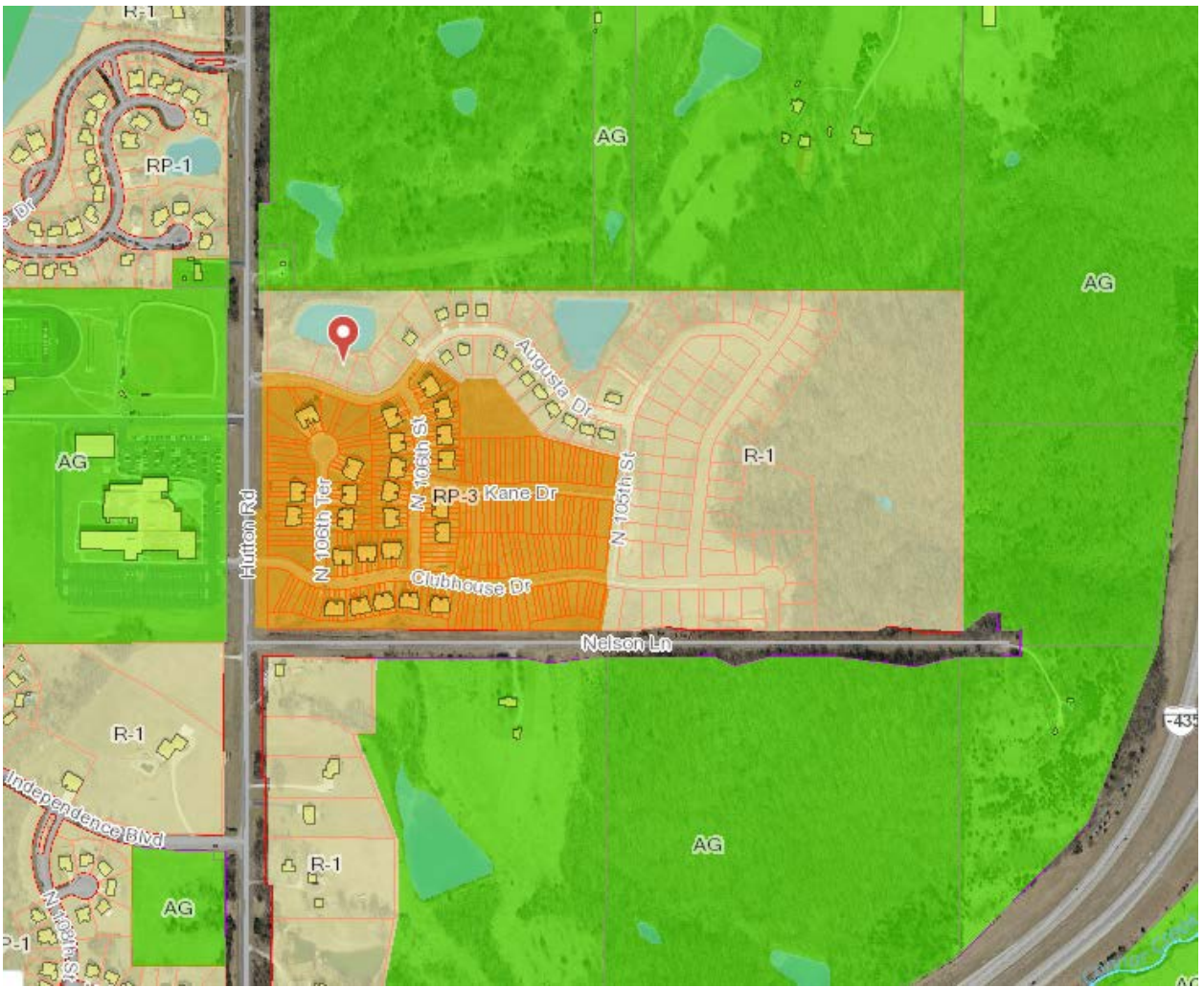
I move the Kansas City, Kansas City Planning Commission **RECOMMEND APPROVAL** of Petition **#SP-2018-92** to the Unified Government Board of Commissioners as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements of the Kansas City, Kansas City Planning Commission:

1. _____;
2. _____; And
3. _____.

OR

I move the Kansas City, City Planning Commission **RECOMMEND DENIAL** of Petition **#SP-2018-92**, to the Unified Government Board of Commissioners as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.






AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF Missouri)
) SS:
COUNTY OF Jackson)

Comes now Jami Applegate, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition #SP-2018-92
2. That I conducted a neighborhood meeting on Oct. 26, 2018
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

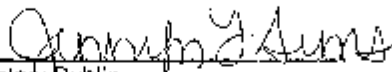
Further affiant saith not.



Affiant:

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 29th day of October, 2018

My commission expires 4th of August, 2021.



Notary Public

JENNIFER L. SIMS
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires Aug 4, 2021
Commission # 13510734

SP-2018-92 Kennel Permit | MINUTES

Meeting date | time 10-26-18 | 6pm | Meeting location 10606 Augusta Drive

Meeting called by	Jami Applegate	Jami Applegate, Jason Applegate, Melissa Zwart
Type of meeting	Education of Kennel permit	(Kieran and Atley Applegate were present during introduction)
Facilitator	Jami Applegate	
Note taker	Jami Applegate	
Timekeeper	Jason Applegate	

AGENDA TOPICS

Time allotted | 5 minutes | Agenda topic Meet the Applegate's | Presenter Jami, Jason, Kieran and Atley Applegate

Introduction of our family: Jason, Jami, Kieran and Atley to Melissa Zwart and vice versa

Introduction and showing of indoor dogs: Sky and Jager; pointed out Bhodi and Sasha from window

Time allotted | 20 mins | Agenda topic Purpose of Permit; Questions & Concerns | Presenter Jami Applegate

Conversation was kept very casual with there only being attendee. Melissa heard how we got our 1st kennel permit, and why we were up applying again (still over limit, relocation, expiration of 2016 permit)

Melissa was very intrigued, didn't realize Wyandotte had a limit, was in support of us receiving a renewal and offered to have her daughter feed/water if ever we needed someone.

Conclusion: Melissa was very generous and easy going; will be a great resource to monitoring our residence during Holidays, vacations, weekend trips, etc. Melissa was very loving toward Jager and Sky during her 30 minute meeting.

Meeting Minutes sent to: Janet Parker and Alex Hufft on October 29, 2018

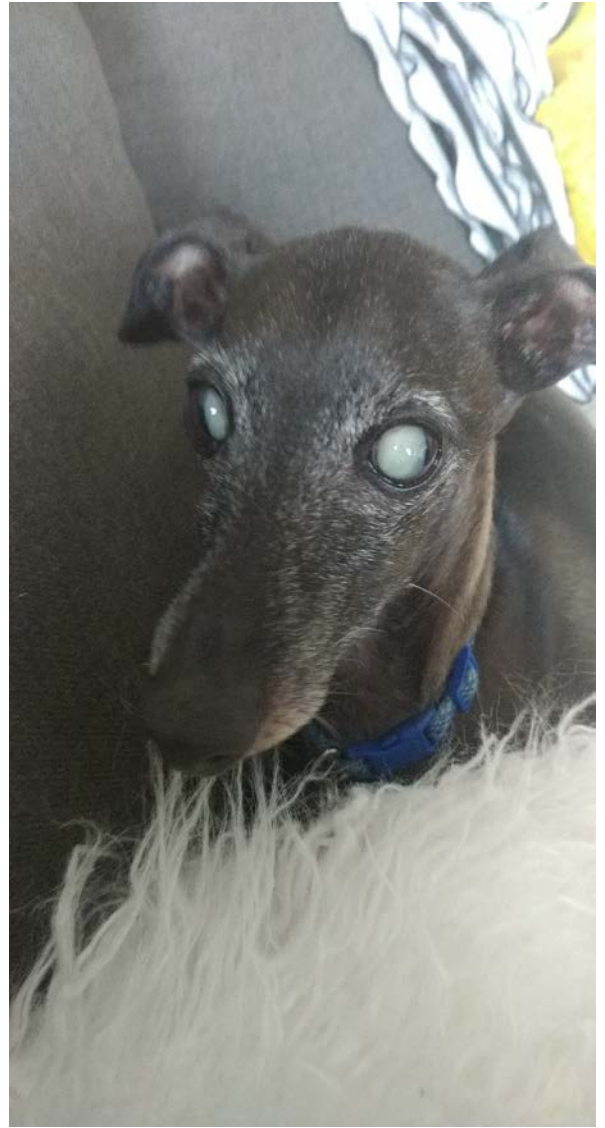
MEETING SIGN-IN SHEET

Project:	SP-2018-92 Neighborhood Meeting	Meeting Date:	10-26-18
Facilitator:	Jami Applegate	Place/Room:	10606 Augusta Drive KC, KS

Name	Address	Comments
Melissa Just	4416 N 106 Terrace KC KS 64109	







CERTIFICATE OF VACCINATION

Date of Rabies Vaccination: 07-26-18
Next Rabies Vaccination On: 07-26-19

Previous Rabies Vaccination: 170554

VETERINARY CLINIC
 Piper Heritage Vet Clinic
 10041 Leavenworth Rd
 Kansas City, KS 66109
 913-299-0010

OWNER OF ANIMAL
 Jamie Applegate
 2819 N 100th Street
 Kansas City, KS 66109
 County:

This is to certify...

THAT I HAVE VACCINATED AGAINST RABIES THE ANIMAL DESCRIBED BELOW.

Patient information...

PATIENT: Sky
SPECIES: Canine
SEX: S
BREED: Terrier, Yorkshire

TAG NO: 19244
WEIGHT: 17.40
AGE: 3 years
MICROCHIP: 985113000163521

Color and markings... Tan & Black

Signed _____

Colin Adley, DVM

License: 8572

Date Done	DVM	Services	Due Date
07-26-18	CTA	Bordetella Vaccination ORAL 6mo	01-24-19
07-26-18	CTA	DAPP Vaccination 1yr	07-26-19
07-26-18	CTA	Rabies Canine Vaccination 1yr, #19244	07-26-19
09-10-15	JJN	DA2PP Puppy Vaccination	

Rabies Vaccine Information...

MFG BY: ZOET
LOT EXP: 4-16-19

SER.NO: 262280B
ADM:

CERTIFICATE OF VACCINATION

Date of Rabies Vaccination: 07-14-16
Next Rabies Vaccination On: 08-25-19

Previous Rabies Vaccination:

VETERINARY CLINIC
 Piper Heritage Vet Clinic
 10041 Leavenworth Rd
 Kansas City, KS 66109
 913-299-0010

OWNER OF ANIMAL
 Jamie Applegate
 2819 N 100th Street
 Kansas City, KS 66109
 County:

This is to certify...

THAT I HAVE VACCINATED AGAINST RABIES THE ANIMAL DESCRIBED BELOW.

Patient information...

PATIENT: Bhodi
SPECIES: Canine
SEX: N
BREED: Mix, Australian Shep

TAG NO: 19431
WEIGHT: 59.10
AGE: 11 years
MICROCHIP:

Color and markings... Black & Brown

Signed _____

Jeni Nezerka, DVM

License: 8443

Date Done	DVM	Services	Due Date
08-25-18	CTA	DAPP Vaccination 1yr	08-25-19
08-25-18	CTA	Rabies Canine Vaccination 1yr, #19431	08-25-19

Rabies Vaccine Information...

MFG BY: ZOET
LOT EXP: 12-13-16

SER.NO: 107414B
ADM:

CERTIFICATE OF VACCINATION

Date of Rabies Vaccination: 08-25-18
Next Rabies Vaccination On: 08-25-19

Previous Rabies Vaccination: 170553

VETERINARY CLINIC
 Piper Heritage Vet Clinic
 10041 Leavenworth Rd
 Kansas City, KS 66109
 913-299-0010

OWNER OF ANIMAL
 Jamie Applegate
 2819 N 100th Street
 Kansas City, KS 66109
 County:

This is to certify...

THAT I HAVE VACCINATED AGAINST RABIES THE ANIMAL DESCRIBED BELOW.

Patient information...

PATIENT: Jager
SPECIES: Canine
SEX: N
BREED: Greyhound, Italian

TAG NO: 19432
WEIGHT: 10.30
AGE: 9 years
MICROCHIP:

Color and markings...

Signed _____

Colin Adley, DVM

License: 8572

Date Done	DVM	Services	Due Date
08-25-18	CTA	DAPP Vaccination 1yr	08-25-19
08-25-18	CTA	Rabies Canine Vaccination 1yr, #19432	08-25-19
03-03-14	CDH	DA2PP Vaccination 3 Year	

Rabies Vaccine Information...

MFG BY: ZOET
LOT EXP: 4-16-19

SER.NO: 2622808
ADM:

CERTIFICATE OF VACCINATION

Date of Rabies Vaccination: 08-25-18
Next Rabies Vaccination On: 08-25-19

Previous Rabies Vaccination: 160901

VETERINARY CLINIC
Piper Heritage Vet Clinic
10041 Leavenworth Rd
Kansas City, KS 66109
913-299-0010

OWNER OF ANIMAL
Jamie Applegate
2819 N 100th Street
Kansas City, KS 66109
County:

This is to certify...

THAT I HAVE VACCINATED AGAINST RABIES THE ANIMAL DESCRIBED BELOW.

Patient information...

PATIENT: Sasha
SPECIES: Canine
SEX: S
BREED: Beagle

TAG NO: 19433
WEIGHT: 38.70
AGE: 10 years
MICROCHIP:

Color and markings... Tricolor

Signed _____

Colin Adley, DVM

License: 8572

Date Done	DVM	Services	Due Date
08-25-18	CTA	DAPP Vaccination 1yr	08-25-19
08-25-18	CTA	Rabies Canine Vaccination 1yr, #19433	08-25-19

Rabies Vaccine Information...

MFG BY: ZOET
LOT EXP: 4-16-19

SER.NO: 2622808
ADM: