

Meeting Date:
March 8, 2021

Location:
2461 Barlow Road

Parcel Number
3001097

Request:
Conditional Use Request for a boarding kennel.

Applicant:
Ethan Millsaps

Property Owners:
Ethan and Amy Millsaps

Zoning:
D2 -Rural Residential
Conservation

Case Manager:
Nick Sugar, City Planner

Staff Recommendation
Approval subject to conditions on
page 5.

Contents

- Proposal, submitted by Amy and Ethan Millsaps, 2-5-21
- Site Photos, 2-12-21



Existing Conditions, Hudson GIS

Project Background:

The property at 2461 Barlow Road is 2.9 acres in size and contains a single-family home and an eight hundred fifty (850) square foot outbuilding. It was recently purchased by the applicants, Ethan and Amy Millsaps. Prior to their purchase, the property was owned by Bruce Trethaway, who lived onsite and operated the *Animal Inn*; a boarding kennel. Staff understands the *Animal Inn* operated from 1992-2018; however, zoning approval records for the business could not be obtained.

The applicants are proposing a similar use of the property under the name *Hudson Hounds Room and Groom*. Boarding Kennels are a Conditional Use in District 2 and are defined as *a facility for the keeping, breeding, raising, grooming or training of four or more domestic animals, that are not owned by the owners or occupant of the premises, for commercial purposes. This does not include animals in pet shops or veterinary facilities.* The business would operate out of the existing 1971 outbuilding.

Adjacent Development:

The site is located near the intersection of Stow Road and Barlow Road. The site is adjacent to single family residential homes to the west, east, and south. The River of Life Community Church is adjacent to the north.

Hudson Planning Commission	SITE PLAN REVIEW
Case No. 2021-107	March 8, 2021

District Standards (Section 1205)

Property Standards The proposal would meet the property/development design standards as stipulated in Section 1205.05 District 2: Rural Residential Conservation.

Use Standards (Section 1206)

The application is subject to compliance with the general conditional use standards of Section 1206.02:

(1) *The use is consistent with the policies and intent of the Comprehensive Plan.*

Comment: The Comprehensive Plan does not specifically address business uses in residential areas; however, the plan refers to this site as Low-Density Residential Area. The plan advises that any new development should protect the natural environment and retain the area’s rural character. Staff notes the proposed business would continue an existing use on the site and not add additional structures/development.

(2) *The use is physically and operationally compatible with the surrounding neighborhood.*

Comment: Staff notes the following based on the applicant’s submittal:

- **Location of activity on the site:** The existing outbuilding the proposed use would operate out of is located in the rear yard, approximately one hundred twenty (120) feet behind the main house. The building is also positioned at the center of the property, further reducing potential impacts on neighboring residences.
- **Noise:** Animals would remain inside other than to defecate/urinate. Each interior stall is connected to an outside cage via a door that must be operated by the owner via a pulley system. The owners have installed interior foam installation to help minimize noise. Staff questions the frequency of animals being let outside overnight, where noise would be most disruptive to neighbors.
- **Hours of operation:** The proposed hours of operation are generally 9am-5pm, with the exception of Tuesdays, which have extended hours until 7 pm. Staff recommends consistent 9am-5pm hours of operation during the work week.
- **Light intensity and hours of full illumination:** The applicant should submit information/photos of any proposed exterior lighting to confirm compliance with applicable standards of Section 1207.14, which prohibits glare or other lighting nuisances.
- **Location of loading and delivery zones:** The applicant should provide information on the anticipated number and frequency of deliveries.

(3) *The use can generally be accommodated on the site consistent with any architectural and design standards set forth in the applicable district regulations of this Code.*

Comment: The existing outbuilding meets standards for setback, orientation and size. Staff notes recent improvements were made to the façade without first obtaining a zoning permit. A permit application has been submitted and staff is reviewing to verify compliance with the city’s architectural design standards.

(4) *Access points are located as far as possible from intersections and adequate sight distances are maintained.*

Comment: Staff notes the property entrance is currently obscured by mature pine trees, inhibiting proper sight distances. Suggest the applicant works with City staff to trim or clear a portion of the existing trees at the drive entryway to improve visibility.



(5) *On-site and off-site traffic circulation patterns shall not adversely impact adjacent uses.*

Comment: Acceptable

(6) *The use will be adequately served by public facilities and services*

Comment: Staff notes the property is not served by public sewer or public water. The existing building is tied to the private home's well and septic. The applicant states the well was last inspected in 2018 and the septic was last inspected in November of 2020.

(7) *The use provides adequate off-street parking on the same property as the use.*

Comment: Staff notes the use would utilize an existing gravel drive with turnaround. The drive has a forty (40) foot by twenty-six (26) foot parking area with room to accommodate additional vehicles around the circular turn around.

The parking standards stipulated in Section 1207.12 do not specifically address Boarding Kennels. The applicant should provide documentation on expected customer traffic and how they are meeting the need.

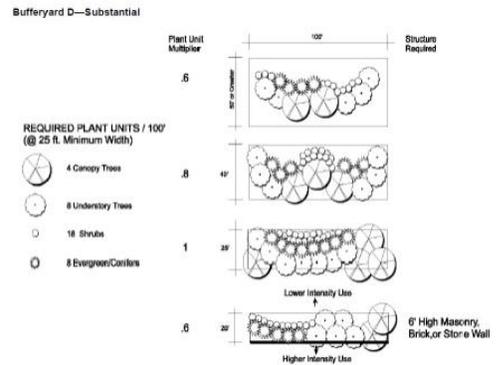


(8) *The use will be screened with fencing and/or landscaping in excess of what is required in of this Code if the use may otherwise result in an adverse impact.*

Comment: The commercial use is required to be screened from adjacent residential land uses to the standards of Bufferyard D in Section 1207.04. Staff notes the overall property is surrounded by mature pine trees, with the exception of an approximate thirty (30) foot gap between the outbuilding and the adjacent home to the west.

Additionally, parking areas shall be buffered according to 1207.04 to contain sufficient plant material that will achieve an effective, opaque screen of a height of at least three feet within two years of installation. The perimeter buffer zone shall also contain deciduous trees and allow adequate snow storage area. Staff notes deciduous trees are located along the property line; however, a three-foot screen would be required. The applicant should provide a landscape plan indicating how the use and parking area would meet the applicable bufferyard/screening requirements.

Figure 12: Bufferyard C - Moderate



(9) *The use is proposed at a density consistent with that of the existing neighborhood.*

Comment: Not applicable

City Departments:

- ✔ **Engineering** Assistant City Engineer Nate Wonsick has reviewed the request and provided the following comment: *Engineering recommends trimming of the existing pine trees near the entrance to provide adequate site distance for vehicles entering/exiting.*
- ✔ **Fire Department** Fire Marshal Shawn Kasson has reviewed the request and has no additional comments.
- ✔ **Police Department** The police department has provided a report detailing all incidents on the property from the past twenty (20) years. Staff recognizes this report pertains to a previous property owner and business; however, the proposed use would be similar. The report identifies one animal complaint in 2008.

Findings:

The staff finds that the application is in substantial compliance with the use, zoning development site plan, and other governmental regulations.

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Required PC Action

The PC shall consider the development application, the staff report, and then take final action. PC shall approve, approve with conditions, or deny the application based on its compliance with the appropriate review standards. All decisions of the Commission shall be based on findings of fact related to the relevant standards of the Code.

Recommendation

Approve the application for the Conditional Use request for a proposed Boarding Kennel at 2461 Barlow Road per Case 2021-107, according to proposal dated February 5, 2021 subject to the following conditions:

1. Weekday hours of operation to be a consistent 9am – 5pm. Full hours of operation to be:
Monday: Closed
Tuesday – Friday: 9am – 5pm
Saturday: 9am – 2pm
Sunday: Closed
2. Bufferyard D and applicable parking lot buffering to be applied between adjacent residential uses per Section 1207.04 of the Land Development Code.
3. Trees and vegetation immediately adjacent to entryway drive to be trimmed or cleared to improve sight distances.

Hudson Hounds Room & Groom:

A Proposal for a Dog Grooming and Boarding Facility located at 2461 Barlow Road



Applicants/Owners: Amy and Ethan Millsaps

Location: 2461 Barlow Road, Hudson OH 44236. Zone 2

Use Permission by Zone: Boarding Kennel- Conditional

Compatibility with Location:

The location of the proposed business will be on the parcel of our private residence, however the building itself is seated at the back of our 3-acre property against the woods (see Image 1), connected to the main driveway by a paved concrete sidewalk. The building was included in the purchase of the home and was built with permission from the city of Hudson (see Image 2) by previous owners to function as a grooming and boarding facility for dogs and cats. Surrounding neighbors located at 2421 Barlow Road and 2471 Barlow Road have been verbally notified of our intentions, with the only concern raised being that of potential noise from the canines within the facility. This has been addressed by a professional team insulating the interior walls with several inches of foam insulation designed to minimize noise.

Light intensity and illumination would also be minimal as the proposed business would not operate past evening business hours and only has two windows. Hours of operation would vary by day but will be conducted within time frames considered 'normal business hours' (see section on Operational and Liability Information). Lack of residential sidewalks and home-based nature of the business would prevent 'walk in' customers and the appointment-based operation would ensure minimal traffic/ impact to the surrounding street. Customers would exclusively use the residential domicile's private driveway with turn-around for parking and the large pine trees that line the lot will ensure privacy for all surrounding neighbors. Here again, the sizeable expanse of the lot lends itself to minimal interference beyond its property lines.

All utilities of the proposed business are tied to the private domicile and have been recently inspected (Well system in June 2018, Septic in November 2020) with appropriate records on file with the Summit County Department of Public Health. Receptacles for waste as well as animal droppings will be readily available onsite and haul away is contracted out to a private waste management company.

The land on which the business is located, and its use thereof is compliant with Section 1203.05 of the Land Development Code to the best of our knowledge.

Operational and Liability Information:

The proposed business would be owned and operated by Amy and Ethan Millsaps who are the co-owners of Hudson Hounds LLC, a limited liability company registered with the state of Ohio. Amy would be the only employee of the facility; with Ethan offering assistance as needed there are no plans to hire outside help or additional employees. The state recognizes no special requirements to own and operate such a facility as no medical procedure or animal breeding will take place on the premises. The home and business are both privately insured by the Allstate Insurance Company. Animal vaccination records and legal waivers for potential injury would be required to patronize the establishment.

Boarding Hours would operate 7 days a week, with 9am-5pm functioning as the daily drop-off/pick-up window by appointment only. Grooming hours would be restricted to the following:

Sunday: Closed

Monday: Closed

Tuesday: 11am-7pm

Wednesday: 9am-5pm

Thursday: 9am-5pm

Friday: 9am-5pm

Saturday: 9am-2pm

Capacity for operation would be limited by the number of kennels/available cage space within the facility. There would be a maximum of twelve (12) available suites equipped for boarding in the kennel area with a cage bank that holds up to four (4) in the grooming area (strictly for daytime use while awaiting owner pick up). This set up would accommodate no more than sixteen (16) animals in the facility during the daytime at max capacity, while overnight boarding capacity would not exceed (12). Outdoor cages attached to the facility total fourteen (14) and would be used strictly for allowing overnight guests to vacate their cage for bathroom usage.

Additional Information:

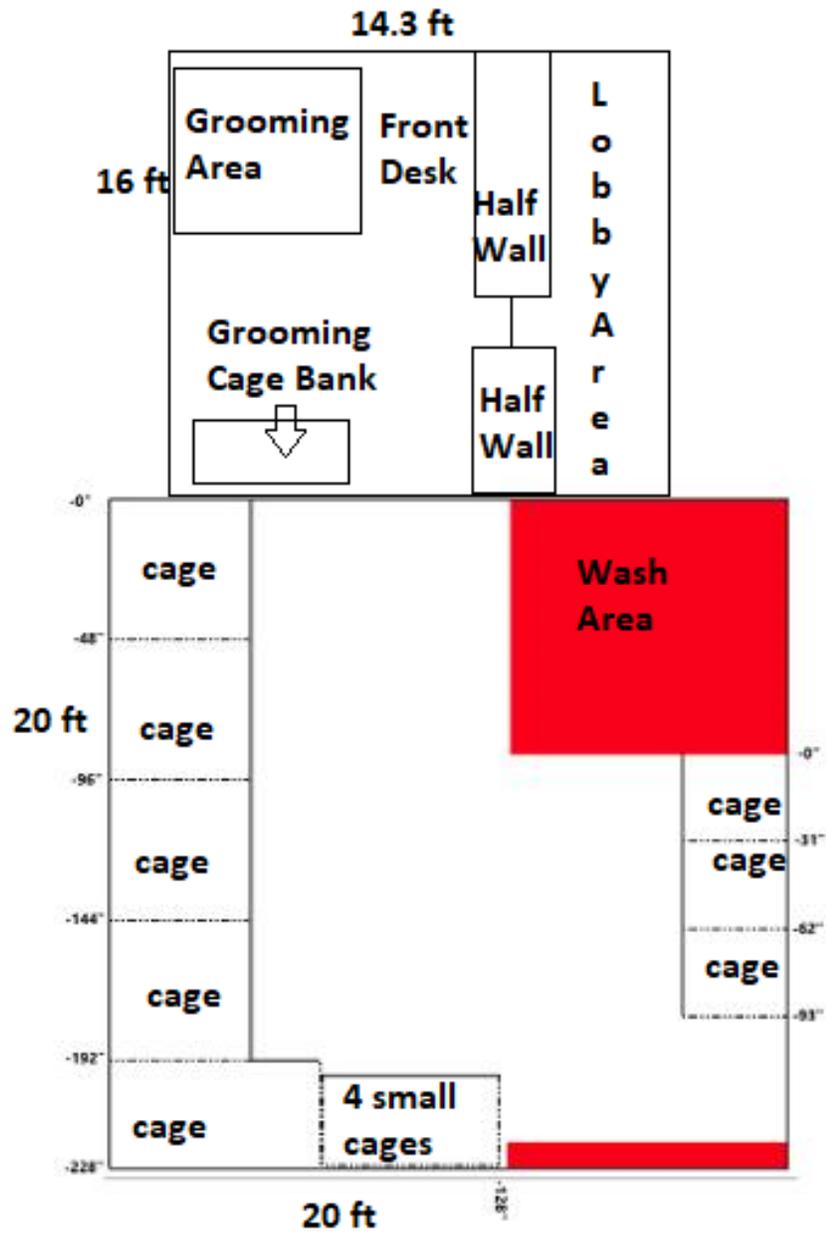
Amy Millsaps has been a part of the animal care/grooming industry for 7 years and has garnered a loyal client base, many of whom live and/or work in the Hudson area. Both she and Ethan are proud Hudson High School graduates who purchased the property at 2461 Barlow Road with the intention of opening their own grooming and boarding business. The previous owner, Bruce Trethaway, operated The Animal Inn on the property prior to his retirement in 2018. The Animal Inn was a staple of the Hudson pet-owning community for nearly 30 years (see Image 6).

We greatly appreciate this opportunity to present our business proposal to the city of Hudson in hopes of bringing this long-term career goal to fruition. We look forward to becoming part of the business community in a city that has been our lifelong home. Thank you for your time and consideration.

Site Plan



2. Proposed Interior Floor Plan



3. Original Permit for Outbuilding Construction

6-17-71

ZONING CERTIFICATE
Township of Hudson, Ohio

N^o 1455

Certificate for construction of storage barn.

Name of Applicant Donald Green

Address 2461 Barclow Rd.

Location of Property R-2

Zone R-2

Date April 22, 1971

Fee \$3.00

J. William Yeary
Zoning Inspector

Application Certificate No. 1954

APPLICATION FOR ZONING CERTIFICATE

Date April 22 19 71

To: Zoning Inspector
Township of Hudson, Ohio

Application N^o 1954

Name of Owner Donald Green Address 2461 Barclow Rd

Name of Applicant Storage Address "

(State if Agent, Attorney, Contractor or other Interagent _____)

Application is hereby made for a Zoning Certificate to (construct reconstruct alter add to use demolish) on land located in Hudson Township, Lot number _____

Allotment, Zone R-2, for the following purpose Storage Barn

As a part of this application, plans in duplicate, shown to scale in black line or blueprint showing: (1) the actual shape and dimensions of the lot to be built upon or changed in its use; (2) the actual location, size and height of all buildings or structures to be erected or altered; (3) the number of families or housekeeping units the building is designed to accommodate, are provided.

BUILDING AREA DATA

Dwellings

Single family	1 story	1 1/2 story	2 story	_____ level	Double	Duplex
Foundation area		X				sq. ft.
1st floor living area		X				sq. ft.
2nd floor living area		X				sq. ft.
Garage		X				sq. ft.
Other	<u>Barn 20</u>	X	<u>20</u>	<u>400</u>		sq. ft.

Street location of property _____ Front Lot Line 298 ft.

Side Lot Line 186 ft. Rear Lot Line _____ ft.

(If for Business or Industrial construction or use) area of all buildings on lot _____ sq. ft.

Area of Lot _____ sq. ft.

AFFIDAVIT OF OWNER OR APPLICANT-

It is understood and agreed by this applicant that any error, misstatement or misrepresentation of material fact, either with or without intention on the part of this applicant, such as might, or would, operate to cause a refusal of this application, or any material alteration or change in the accompanying plans made subsequent to the issuance of a Certificate in accordance with this application, without the approval of the Zoning Officer, Township of Hudson, Ohio, shall constitute sufficient grounds for the revocation of such Certificate.

D. GREEN _____ being first duly sworn according to law, says that he is the
AGENT of the above described property and that the allegations, representations
(owner or owner's agent) and statements made in the foregoing application are true.

D. D. Green

Sworn to and subscribed in my presence this _____ day of _____ 19 _____

Notary Public

COST \$7.50
FEE \$3

4. The building as purchased in 2018:



5. The building after completing the exterior improvements:



6. The proposed business logo:



7. The property's previous business, the Animal Inn:

bbb.org/us/oh/udson/profile/pet-grooming/animal-inn-0272-8000007/details



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Additional Information



ANIMAL INN

Location of This Business
2461 Barlow Road, Hudson, OH 44236-4113

BBB File Opened: 9/27/2004
Years in Business: 29
Business Started: 1/1/1992
Business Started Locally: 1/1/1992

Business Management
Mr. Bruce G Trethaway, Owner

Contact Information
Principal
Mr. Bruce G Trethaway, Owner
Customer Contact
Mr. Bruce G Trethaway, Owner

Business Categories
[Pet Grooming](#)