



6:00 p.m.

Welcome and opening remarks.
Review and approval of agenda.

6:05 p.m.

- (1) **Elections** – Chairman and Vice-chairman for 2014.
- (2) **Appeal – Cronquist Pole Barn** – Shawn Cronquist is appealing the denial of a zoning clearance for a pole barn on 19.27 acres located at approximately 1927 Canyon Road, Smithfield.
- (3) **Appeal - Wild Bunch Kennel** – John & Caryn Mullin are appealing the denial of a conditional use permit for a dog kennel on 1.14 acres of property in the Agricultural (A10) Zone located at approximately 5670 North Highway 23, Cache Junction.

Board Member Reports

Staff Reports

Adjourn

This is a public meeting and all interested persons are invited to attend. Complete details and legal descriptions are on file for public inspection at the office of the Cache County Zoning Administrator, 179 North Main, Room 305, Logan, Utah, 755-1640.

In compliance with the Americans With Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Janeen Allen, Executive Secretary, at 755-1850 at least three working days prior to the meeting.

SUMMARY OF ACTION

13 AUGUST 2014

The details of this summary regarding the appeal as submitted by Shawn Cronquist can be found in the accompanying documents. The following is the timeline of actions taken:

- 1) **November 7, 2012** – Zoning clearance issued by the Development Services Director to allow the placement of a pole barn and site grading on parcel 08-046-0009. To facilitate placement of the barn, the extraction of material from the site was not to exceed ~5,000 cubic yards.
- 2) **November 7, 2013** – The barn was not built and said zoning clearance expired.
- 3) **April 15, 2014** – Charles Parson, legal representative for Shawn Cronquist contacted Development Services to request an extension of the expiration date of the zoning clearance and a variance to allow the continued extraction of material from the site.
- 4) **May 20, 2014** – The Director issued a memorandum denying the requests to extend the deadline and/or approve a variance to allow continued extraction from the site. This memorandum also detailed the proper process to request approval to extract material from the site, that further extraction would be a violation of the ordinance, and outlined the appeal process. A request for appeal of that decision was not submitted.
- 5) **June 3, 2014** – Mr. Cronquist submitted a new application for a zoning clearance for the placement of a pole barn and continued extraction of material from parcel 08-046-0009.
- 6) **June 9, 2014** – Development Services notified (email) Mr. Cronquist that the request to extract material required the approval of the Cache County Planning Commission as noted in the memorandum dated May 20, 2014.
- 7) **June 18, 2014** – Following numerous emails between Development Services staff and Mr. Cronquist regarding ordinance requirements for further extraction, staff encouraged Mr. Cronquist to direct staff as to his intentions by:
 - a. Seeking approval from Planning Commission;
 - b. Grading the site without extracting material and thereby allow placement of the barn;
 - c. Identifying another location on the property better suited for the barn, or;
 - d. Moving forward with the current zoning request, for the pole barn and extraction of material, with the understanding that it must be denied as it conflicts with the requirements of the ordinance and is outside the authority of the Director.
- 8) **June 27, 2014** – Mr. Cronquist attempted to submit an appeal of the denial for the zoning clearance to Development Services. No denial had been issued for said zoning clearance. Staff interpreted that to mean that Mr. Cronquist intended to move the current zoning clearance request forward.
- 9) **July 8, 2014** – The Director issued a denial of Mr. Cronquist's request as the request was in violation of ordinance requirements, and was improper in that the Director does not have the authority to approve the request for the extraction of material.
- 10) **July 16, 2014** – Mr. Cronquist submitted his request to appeal the Director's July 8, 2014 decision to the Board of Adjustments.

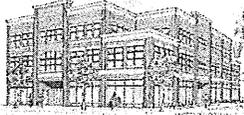
DETERMINATION AND FINDINGS OF FACT (2)

It is staff's determination that the Board of Adjustments should deny Shawn Cronquist's appeal. This determination is based on the following findings of fact:

- 1) As stated by the applicant, placement of said pole barn will require the additional excavation of material, and as per the Cache County Ordinance §17.07.030 Use Related Definitions under definition 7240 Site Grading,

*“The act of excavation or filling or combination thereof or any leveling to a smooth horizontal or sloping surface on a property in preparation for the construction of a building, but not including normal cultivation associated with an agricultural operation. **Excavation shall be less than one thousand five hundred (1,500) cubic yards per parcel.** Additional excavation may only be permitted with a variance.”*

- a. Far more than 1,500 cubic feet of material has already been extracted from the site for the placement of said structure (No quantified amount has been provided).
 - b. A request for a variance to allow additional extraction of material and placement of the pole barn was previously denied and not appealed (See memorandum dated May 20, 2014).
- 2) The request is improper as the Development Services Director is not the land use authority for consideration of the extraction and/or excavation of materials.
 - a. As per the Cache County Ordinance §17.13.050 [B], requests for the extraction and/or excavation of materials are considered a conditional use.
 - b. As per §17.02.060 [B][2][a][1], the Cache County Planning Commission is the land use authority appointed to consider such a conditional use permit request.



CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT

JOSH RUNHAAR, AICP
 DIRECTOR / ZONING ADMINISTRATOR
 PAUL BERNITSON
 CHIEF BUILDING OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 ♦ (435)755-1640 ♦ FAX (435)755-1987

Zoning Clearance: Approved (Reviewed By: *Chris Harrild*)

\$ 25.00

Date: *11-20-12*

Receipt #: *6568*

Payment type: *ck # 1075*

This Zoning Clearance is issued in conformance with Cache County Ordinance §17.09.030 Schedule of Uses, as it is a permitted use in the Agricultural (A-10) Zone.

Location

Site Plan

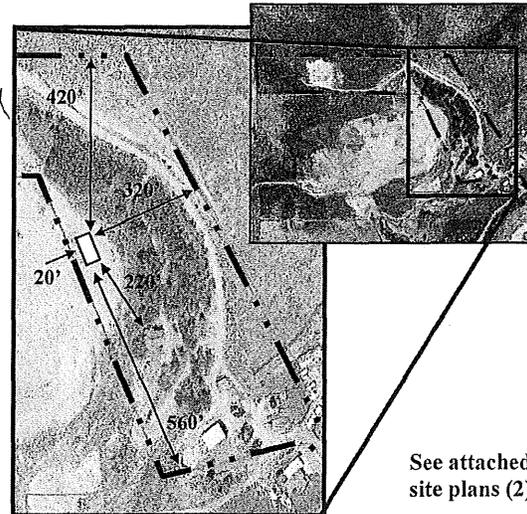


Property ID: **08-046-0009**

Structure: **Pole Barn: 40'x80'**

Zone: A-10 (19.27 acres)

Project Address: 1927 Canyon Road
 Smithfield, UT



See attached site plans (2)

Owner/Agent

Property Owner: **CRONQUIST, Robert O.**
 Owner Telephone: 563-5470
 Mailing Address: P.O.Box 62
 Smithfield, UT 84335
 Agent: **Shawn Cronquist**
 Agent Telephone: 435-705-0129
 Email: birchcreeksc@gmail.com

Department Reviews

Fire Review:	Approved	Bus stop location:	N/A
Encroachment Permit:	Not required	Culinary Water:	N/A
Floodplain Permit:	No FIRM floodplain	Septic Approval:	N/A
Garbage Service:	N/A	Property address:	Correct as noted

Conditions

1. Extraction of granular materials in the process of grading the site for the placement of the pole barn shall only occur between the hours of 8:00 a.m. and 5:00 p.m. This clearance does not permit any extraction beyond that identified on the site plan for the construction of the pole barn.
2. Current and future property owners must be aware that they are subject to the sights, sounds, and smells associated with agricultural activities which are the permitted uses in the Agricultural (A-10) Zone.

Other Information

This is identified as parcel #1 of the Cronquist Minor subdivision recorded on 15 July 1997. This property is hereby given zoning clearance for the site plan shown. Any changes in type of structure or placement will require a new zoning clearance. Approval of zoning clearance is not a waiver of compliance with the zoning ordinance nor is it a conditional use permit. An agricultural building statement is on file.

The zoning of the proposed land use is cleared subject to the above conditions:

I acknowledge and accept the conditions of this zoning clearance:

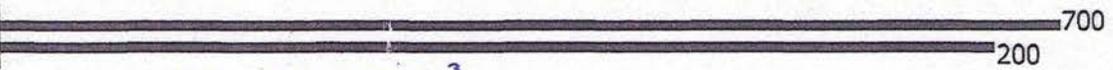
[Signature]
 Zoning Administrator *11/7/2012*
Date

[Signature]
 Agent or Owner *11-20-12*
Date



Google earth

feet
meters



ESTIMATED ≈ 5000 YDS³





MEMORANDUM – REQUEST FOR EXTENSION

Date: 20 May 2014
To: Shawn Cronquist, Agent; Robert and Sylvia Cronquist, Owners
From: Josh Runhaar, Development Services Director
Subject: Request for deadline extension and variance

On November 7, 2012, a zoning clearance on parcel 08-046-0009 for a 40' x 80' pole barn and site grading, including the extraction of not more than approximately 5,000 cubic yards of granular materials to facilitate the placement of said barn, was approved by the Development Services Director, Josh Runhaar. Said clearance and approval for the proposed actions expired one (1) year from that date on November 7, 2013. The Development Services Department has since received a request from Charles Parson, a representative for Shawn Cronquist, to extend the expiration date of the zoning clearance and allow the continuation of gravel and rock extraction from the site.

The Development Services Department has reviewed this request and the Development Services Director hereby addresses the request in two parts:

1. The request to extend the expiration date of the zoning clearance is hereby denied. As per §17.02.070[A],

“Any approval that has lapsed beyond its effective period shall be void and any new application shall be required to conform to the ordinance currently in effect.”

2. The request for an exception to accommodate the continued extraction of gravel and rock material from the site is hereby denied. The ordinance regulating land use decisions has been amended since the zoning clearance approval was originally issued, and as per §17.07.030 Use Related Definitions under definition 7240 Site Grading,

*“The act of excavation or filling or combination thereof or any leveling to a smooth horizontal or sloping surface on a property in preparation for the construction of a building, but not including normal cultivation associated with an agricultural operation. **Excavation shall be less than one thousand five hundred (1,500) cubic yards per parcel. Additional excavation may only be permitted with a variance.**”*

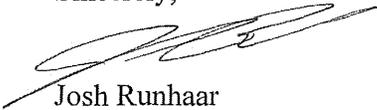
In addition, as noted by Mr. Parson, more than 1,500 cubic feet of material had already been extracted from the site prior to the Zoning Clearance, and that extraction of granular material from the site would need to continue for the remainder of 2014 and likely into 2015 in order to place the noted pole barn.

Therefore, it is the determination of the Director that this is clearly and primarily an extraction operation, and at this time any further construction and/or construction activity including site grading on the noted property without the approval of the land use authority shall be considered a violation of the Cache County Ordinance and thereby subject to formal enforcement. Further excavation of material

from the site shall require the review and approval of the land use authority following the submission of a complete application that addresses the requirements of §17.13 regarding extraction and excavation operations, and may require the rezone of the said property to the Mineral Extraction and Excavation (ME) Zone.

If the owners desire to appeal the Director's decision to deny their request, the requirements of §17.02.060 [G] specify that an appeal may be made to the Cache County Board of Adjustments. Please note that a request to appeal said decision must commence within ten (10) business days from receipt of this memorandum. Applications for such an appeal may be obtained from the Development Services Department.

Sincerely,



Josh Runhaar



Cache County
1857

DEVELOPMENT SERVICES DEPARTMENT

BUILDING | COUNTYWIDE PLANNING | ENGINEERING | GIS | PLANNING & ZONING

APPLICATION: ZONING CLEARANCE

Your greenbelt tax status and value of your property may change by proceeding with this application. Please contact the County Assessor's Office for more information regarding taxation.

Legal parcel? Yes / No SN Sensitive areas? Yes / No SN Adequate road? Yes / No / Review Required SN

As required, the following information must accompany this form at the time of application for zoning clearance:

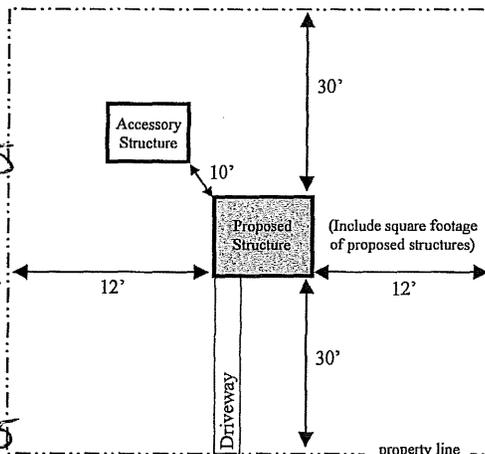
- | | |
|---|--|
| <input type="checkbox"/> Agent letter; Trust, LLC, etc. paperwork | <input type="checkbox"/> Wetland Delineation |
| <input checked="" type="checkbox"/> Site plan (see example) | <input type="checkbox"/> Geotechnical Report |
| <input type="checkbox"/> Culinary water verification | <input type="checkbox"/> FAA form 7460-1 |
| <input type="checkbox"/> Sanitation/Health Department approval | <input checked="" type="checkbox"/> Agricultural building letter |
| <input type="checkbox"/> Encroachment Permit | <input type="checkbox"/> Garbage removal letter (cabin) |
| <input type="checkbox"/> Floodplain Permit | |

LOCATION

EXAMPLE SITE PLAN



PROPERTY ID: 08-046-0009
 STRUCTURE/USE: Pole Barn
 PROPERTY ADDRESS: 1927 Canyon Rd
 CITY, STATE, ZIP: Smithfield, Ut 84335



OWNER/AGENT

PROPERTY OWNER: Robert O. Cronquist Jr
 OWNER TEL. #: 435-563-5476
 OWNER MAILING ADDRESS: P.O. Box 62
 CITY, STATE, ZIP: Smithfield, Ut 84335

AGENT: Shawn Cronquist
 AGENT TEL. #: 435-705-0129

AGENT/OWNER EMAIL: birchcreekx@gmail.com; birchcreek.sc@gmail.com

ACKNOWLEDGEMENT

I acknowledge that I have provided a complete application and if approved, this property will be given a zoning clearance for the plot identified. Any changes in type of structure or placement will require a new zoning clearance. Approval of a zoning clearance is not a waiver of compliance with the zoning ordinance nor is it a conditional use permit.

Robert O. Cronquist Jr
 Property Owner/Agent

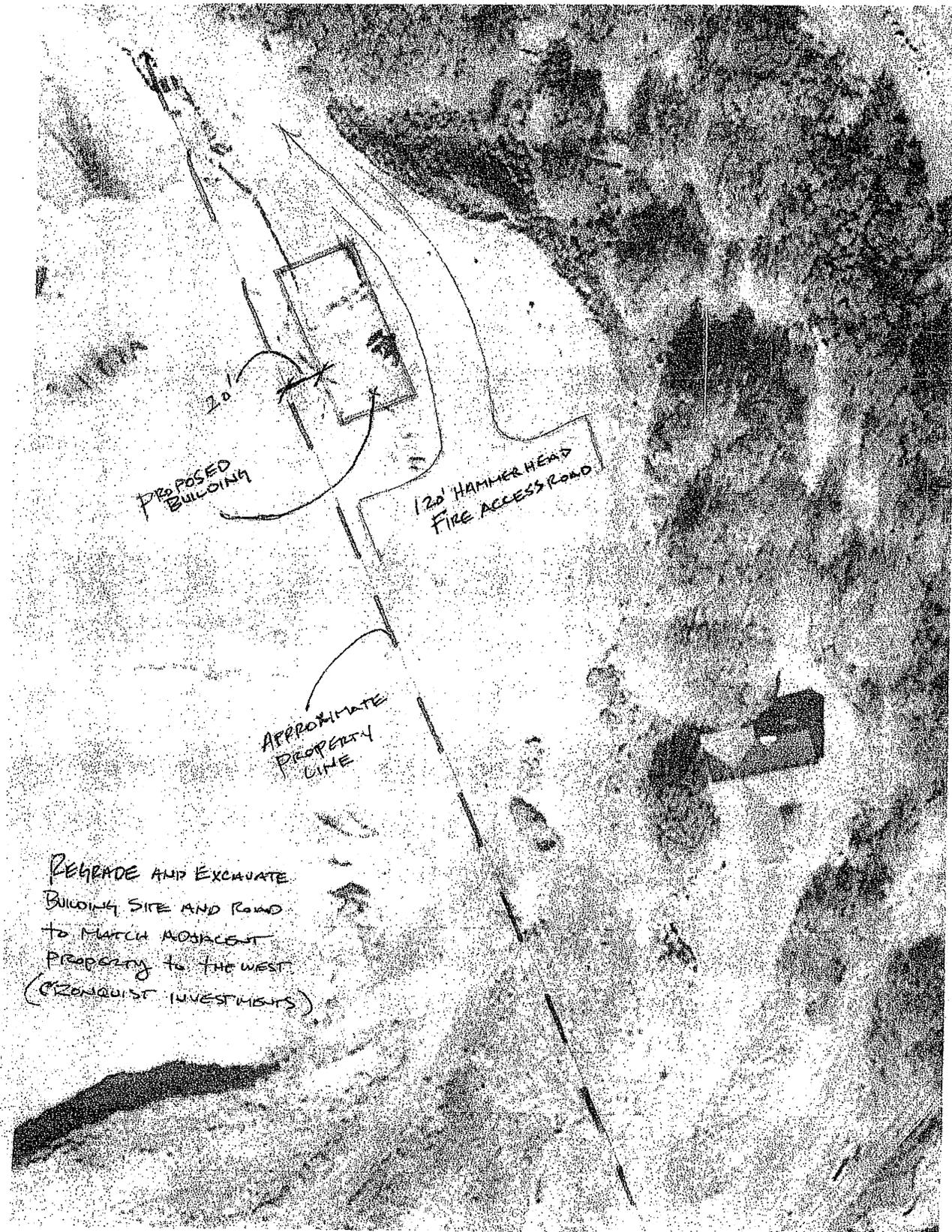
JUN 03 2014

DEPARTMENT REVIEW

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Plat map | 5. <input type="checkbox"/> School review |
| 2. <input checked="" type="checkbox"/> Legal description & current taxation certification | 6. <input type="checkbox"/> Garbage service review |
| 3. <input type="checkbox"/> Road review | 7. <input type="checkbox"/> Address check |
| 4. <input type="checkbox"/> Fire protection review and Urban-Wildland Interface | 8. <input checked="" type="checkbox"/> Sensitive areas review |

DEVELOPMENT SERVICES DEPARTMENT
 179 NORTH MAIN, SUITE 305
 LOGAN, UTAH 84321

PHONE: (435) 755-1640 FAX: (435) 755-1987
 EMAIL: devservices@cachecounty.org
 WEB: www.cachecounty.org/devserv





DEVELOPMENT SERVICES DEPARTMENT

BUILDING | SURVEYING | ENGINEERING | GIS | PLANNING & ZONING | ROADS | WEEDS

MEMORANDUM – ZONING CLEARANCE REQUEST - DENIAL

Date: 08 July 2014
To: Shawn Cronquist, agent for Robert and Sylvia Cronquist
From: Josh Runhaar, Director

The Cache County Development Services Director has considered your request to place a pole barn on 19.27 acres of property located in the Agricultural (A10) Zone at approximately 1927 Canyon Road, east of Smithfield (See attachment A), and hereby issues a denial of said request based on the following findings of fact:

1. As stated by the applicant, placement of said pole barn will require the additional excavation of material, and as per the Cache County Ordinance §17.07.030 Use Related Definitions under definition 7240 Site Grading,
“The act of excavation or filling or combination thereof or any leveling to a smooth horizontal or sloping surface on a property in preparation for the construction of a building, but not including normal cultivation associated with an agricultural operation. Excavation shall be less than one thousand five hundred (1,500) cubic yards per parcel. Additional excavation may only be permitted with a variance.”
 - a. Far more than 1,500 cubic feet of material has already been extracted from the site for the placement of said structure (No quantified amount has been provided).
 - b. A request for a variance to allow additional extraction of material and placement of the pole barn was previously denied and not appealed (See Attachment B).
2. Given that the previous variance request was denied, this request is improper as the Development Services Director is not the land use authority for consideration of the extraction and/or excavation of materials.
 - a. As per the Cache County Ordinance §17.13.050 [B], requests for the extraction and/or excavation of materials are considered a conditional use.
 - b. As per §17.02.060 [B][2][a][1], the Cache County Planning Commission is the land use authority appointed to consider such a conditional use permit request.

If you desire to appeal this decision, the requirements of §17.02.060 [G] specify that an appeal may be made to the Cache County Board of Adjustments. Please note that a request to appeal said decision must commence within ten (10) business days from receipt of this memorandum. Applications for such an appeal may be obtained from the Development Services Department.

Sincerely,

Josh Runhaar

Cc: Cronquist Zoning Clearance 2014 file



Notice of Appeal Application

Date Received: <u>16 July 2014</u>	By: <u>Chris</u>	Receipt #: <u>7493</u>	Payment Type/Amount: <u>CHECK# 2571 / \$250.00</u>
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Appeal Information:

Project Name: POLE BARN

Project Address: 1927 Canyon Road

Property ID Number(s): 08-046-0009

Zone: A-10 Acres: 19.27 Area: _____

Agent Contact Information

Name: Shawn Cronquist Email: BIRCHCREEKX@gmail.com

Phone: 435-705-0129 Mailing Address: 334 So 1600 WEST NIBLEY, UT 84321

Property Owner Contact Information:

Name: ROBERT & SYLVIA CRONQUIST Email: BIRCHCREEKSL@gmail.com

Phone: 435-563-5410 Mailing Address: P.O. Box 62 Canyon Rd. Summitville UT

1. Applications are accepted by appointment only.
2. Incomplete applications will not be accepted.
3. Late applications will be held for the next meeting's agenda.
4. The application fee is not refundable.
5. Any information submitted with this application becomes public record and is posted online.

Appeal - Application Checklist and Acknowledgement:

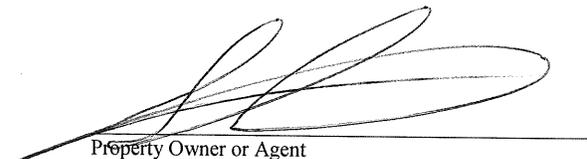
A completed application must include the following unless specified otherwise:

- 1) A completed application form and **non-refundable** review fee (cash or check only):
Appeal - \$250
- 2) A plat map for each property.
- 3) The legal description with any existing covenants & deed restrictions and current taxation certification for each property.
- 4) The name(s) and full mailing address(es) for all owner(s) of each property.
- 5) *If* the owner of record is not the acting agent, an agent letter must be included. *Also*, further information is required if the owner of record is an LLC, Corporation, Trust, or similar. Paperwork identifying the name of the LLC, Corporation, Trust, or similar, the listed owners or members, and assigned agent must be included.
- 6) A notice of appeal specifying:
 - (i) The decision being appealed and the parties making the appeal.

**Further information may be required by staff, other departments and agencies, and/or the Board/Committee/Council that reviews the application based on the proposed use/development.*

Acknowledgment

I, Shawn Cronquist the undersigned agent and/or owner of the involved in this notice of appeal acknowledge that I have read and understand the information and requirements presented in this application.


Property Owner or Agent



CHARLES PARSON LAW
• professional corporation •

July 15, 2014

Charles Parson
(435) 213-5354
charles@theparsongroup.com

Josh Runhaar
Director/Zoning Administrator
Cache County Corporation
Development Services Department
179 North Main STE 305
Logan, Utah 84321

VIA HAND DELIVERY

Re: Cronquist Parcel #08-046-0009 Zoning Clearance Appeal

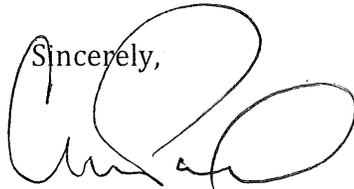
Dear Mr. Runhaar,

Pursuant to Cache County Code §17.02.070, you, or your designee shall be the land use authority to hear and act on zoning clearance applications. On July 8, 2014, your office denied a properly requested zoning clearance for the construction of a pole barn on the above referenced parcel. Per the terms of the memo denying the zoning clearance, your office incorrectly states a variance was requested for extraction of material, was denied, and was not appealed. Therefore, according to the memo, your office is not the proper land use authority to review a zoning clearance. However, no variance was ever requested. A zoning clearance application was properly filed on June 3, 2014 with all necessary documentation to your office, the proper land use authority to review said application.

Because this action constitutes an adverse decision pursuant to §17.02.070(F), Robert Cronquist Jr. through his agent Shawn Cronquist and his attorney Charles Parson hereby request said decision be appealed to the Board of Adjustments.

This appeal is timely under the requirements of §17.02.070(G), is accompanied by the appropriate \$250.00 fee, and is properly addressed to you. Per the terms of §17.02.070(G)(1) you are required to notify the proper appeal authority within seven working days of this appeal.

Sincerely,

A handwritten signature in black ink, appearing to be 'Charles Parson', written over the word 'Sincerely,'.

Charles Parson
Attorney

Enc.
CMP/mtf

SUMMARY OF ACTION

11 SEPTEMBER 2014

The details of this summary regarding the appeal as submitted by John Mullin can be found in the accompanying documents. The following is the timeline of actions taken:

- 1) **July 7, 2014** – John Mullin submitted an application for the consideration of a boarding and breeding kennel to be known as the Wild Bunch Kennel for up to 42 adult dogs. This use is identified by the Cache County Ordinance as the use type 7200 Boarding Facility. This use type requires the approval of the Cache County Planning Commission.
- 2) **August 3, 2014** – Notice of the meeting and request was posted as required by State and County Code.

August 7, 2014 – The Planning Commission considered Mr. Mullin's request. In reviewing Mr. Mullin's request, the Planning Commission followed the requirements for consideration of conditional uses as stated in §17.06.070 of the County Ordinance as follows:

A. The Planning Commission shall review a conditional use request with the following general standards and criteria:

1. The use applied for at the location proposed is necessary or desirable to provide a service or facility that will contribute to the general well being of the area and the county;
2. Compatibility of the proposed use with the intent, function and policies established in the Cache Countywide Comprehensive Plan;
3. Compatibility of the proposed use with the character of the site, adjacent properties and other existing and proposed development;
4. The availability of, or ability to provide adequate services, drainage, parking and loading space, fire protection, and safe transportation access and vehicular circulation;
5. Such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity;
6. If the planning commission determines that the standards of this section cannot be met and that adequate mitigation measures cannot be imposed to bring the use into conformity with the standards and criteria, the planning commission may deny the request for a conditional use permit.

Comment was accepted from the public and the applicant. The main items of concern that were discussed by the Planning Commission were the number of dogs (42), and the noise generated by the kennel, in close proximity to, and within a residential area. The Planning Commission then issued a decision to deny said request based on the following findings of fact:

1. The standards of §17.06.070 of the Cache County Ordinance, Standards and Criteria for Conditional Use, cannot be met:
 - a. The proposed use is not compatible with the character of the site, adjacent properties and other existing and proposed development.
 - b. The use will be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

- 3) **August 8, 2014** – A letter was sent to Mr. Mullin from the Development Services Department that reflected the decision of the Planning Commission to deny his request and included the noted findings of fact.
- 4) **August 20, 2014** – Mr. Mullin submitted an application to the Development Services Department appealing the decision of the Planning Commission to the Board of Adjustments. Mr. Mullin’s stated reason for appeal is that he felt he had met all the criteria for the permit and therefore his permit request to the Planning Commission should be approved.

CONSIDERATION OF APPEAL

As per §17.02.060 [G], the appellant bears the burden of proving that the land use authority erred. Said section also specifies a standard of review: “Standard of Review – Substantial Evidence: The appeal authority shall determine the correctness of a decision of the land use authority in its interpretation and application of a land use or subdivision ordinance.”

This means that when the Board of Adjustments considers an appeal, the permit request is not reheard, instead, the Board considers and determines if the land use authority, the Planning Commission in this instance, followed and/or was correct in its administration of the ordinance and state law as applicable. The Board may then act to either:

1. Uphold the land use authority’s decision and deny the appeal, or;
2. Overtun the land use anuthority’s decision and approve the appeal, or;
3. Return the case to the land use authority for reconsideration with instructions on how to proceed, or because new evidence was presented to the Board that may change the Planning Commission’s decision.

DETERMINATION AND FINDINGS OF FACT (3)

It is staff’s determination that the Cache County Planning Commission did follow and/or was correct in its administration of the ordinance and that the Cache County Board of Adjustments should therefore deny John Mullin’s appeal. This determination is based on the following findings of fact:

- 1) The Cache County Planning Commission adhered to the requirements and standards of the Cache County Ordinance and State Code in receiving, hearing, and acting upon Mr. Mullin’s conditional use permit request, and no evidence has been provided to prove that the Planning Commission erred in their decision.
- 2) §17.06.070 [A] of the Cache County Ordinance allows the Planning Commission to deny a request if they determine that the standards of said section cannot be met, and that adequate mitigation measures cannot be imposed to bring the use into conformity with the standards and criteria.
- 3) No new evidence or information has been presented that would change the Planning Commission’s decision.



Application: Notice of Appeal

Date Received: 20 AUG 2014	By: CHRIS	Receipt #: 7549	Payment Type/Amount: CHECK # 101
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Appeal Information:

Project Name: WILD BUNCH KENNEL ABA MULLIN KENNEL

Project Address: 5670 N HIGHWAY 23 CACHE JUNCTION, UT. 84304

Property ID Number(s): 13-048-0046 13-048-0047

Zone: A10 Acres: 1.14 Area: CACHE JUNCTION

Agent Contact Information

Name: JOHN MULLIN Email: Maddog8mm@aol.com

Phone: 307-262-1740 Mailing Address: 6763 TERRACE DRIVE CASPER, WY. 82604

Property Owner Contact Information:

Name: DORIS WENZEL Email: _____

Phone: 602-820-6161 Mailing Address: 435-535-3191 965 E. 2950 N N. LOGAN, UT. 84341

1. Applications are accepted by appointment only.
2. Incomplete applications will not be accepted.
3. Late applications will be held for the next meeting's agenda.
4. The application fee is not refundable.
5. Any information submitted with this application becomes public record and is posted online.

To the Board of Appeals,

We, John and Caryn Mullin along with Wild Bunch Kennel, appeal the denial of our conditional use permit by the Cache County Planning commission. We met all the criteria for the permit and feel it should be awarded.