

FARMINGTON PLANNING COMMISSION PROCEEDINGS  
City Council Chambers, 23600 Liberty Street  
Farmington, Michigan  
December 14, 2015

Chairperson Crutcher called the meeting to order at 7:00 p.m. at City Council Conference Room, 23600 Liberty Street, Farmington, Michigan, on Monday, December 14, 2015.

**ROLL CALL**

Present: Buyers, Crutcher, Kmetzo, Majoros, Waun  
Absent: Chiara, Gronbach  
A quorum of the Commission was present.

**OTHER OFFICIALS PRESENT:** Director Christiansen

**APPROVAL OF AGENDA**

MOTION by Buyers, seconded by Majoros , to approve the agenda as submitted.  
Motion carried, all ayes.

**APPROVAL OF ITEMS ON CONSENT AGENDA**

**a. Minutes of Regular Meeting – November 9, 2015**

Motion by Buyers, seconded by Majoros, to approve the items on the Consent Agenda.  
Motion carried, all ayes.

**REQUEST FOR SPECIAL LAND USE – LAWRENCE NATHAN (MICHIGAN PUG RESCUE), 23927 WESLEY**

Christiansen stated that this is a Special Land Use Application for a proposed kennel at 23927 Wesley, which is zoned R1-C. He indicated there would be no changes to the existing use, nor structural modifications to the home. He also stated that the Applicant will be installing a fence at the property and is going through the permit process at this time and indicated there is a survey and photos attached with the staff report. He stated the requested action for the Planning Commission tonight would be to schedule a Public Hearing.

Crutcher invited the Applicant to the podium.

Lawrence and Cathy Nathan, 23927 Wesley, came to the podium. Mr. Nathan stated they have been residents of Farmington for twenty years, sixteen of which they have been operating “Michigan Pug Rescue”, a 501(c) 3 corporation at that location with no complaints from neighbors. He indicated they are involved in many activities associated with the City, including the Founder’s Parade, Riley Bark in the Park, and other

Downtown Development activities. He stated his wife is affectionately known as “The Pug Lady”, as she walks the dogs. He also indicated they had won beautification awards for their home in the past.

He then informed the Planning Commission that they clean up their yard every other day and usually have eight to ten dogs at any one time, but had recently picked up fifteen dogs from a puppy mill which he had purchased at auction. He explained that the dogs would then go to the vet to get the necessary medical treatment, etc. until they were medically cleared to go into a foster home or theirs. He indicated there had been no problems or complaints until a new neighbor moved in within the past two years who filed a complaint with the City. He went on to explain that pugs are not yapper dogs, they weigh approximately 12-20 pounds, and do not like the heat, cold or wet weather so they are basically indoor animals.

He stated his personal pets are all licensed with the City and that he and his wife have worked closely with the Oakland County Animal Control and the Michigan Humane Society in a partnering program.

He then presented a display of pictures to the Commission showing the genesis of a rescued Pug going from being an emaciated flea-ridden animal to being adopted out as a healthy pet.

He stated that they are asking for a kennel license so they can continue on in their mission of saving these animals and indicated they had rescued over 625 pugs since the inception of the Pug Rescue and have placed them into homes.

The floor was opened for questions from the Commissioners.

Buyers inquired of staff if it was the existence of the complaint that brought this issue to the forefront, otherwise they may have stayed under the radar and continued to operate, and Christiansen responded in the affirmative.

Christiansen went on to state that the current City staff was not aware of this activity going on until the complaint was filed. He said the City regulations state that you can have no more than three dogs so that the Nathans do not comply with current regulations and therefore are seeking a Special Land Use for a residential single family kennel operation. He then stated there have been no other complaints over the past sixteen years, be it at the City, or as a neighbor, as Christiansen resides in the same neighborhood.

Buyers asked the Applicant if there was an exterior kennel located on the property and Nathan responded in the negative. Buyers then asked Christiansen about the nature of the complaint, and Christiansen explained that living in the neighborhood he had never seen an issue with the property, that the yard is maintained, but that the new neighbor for whatever reason took issue and filed a complaint.

Buyers commended the Applicants for their big hearts and dedication to animals and then asked if the scope of the rescue had enlarged in recent months and the Applicant responded that on September 14<sup>th</sup> they had driven to Iowa and picked up fifteen pugs that were auctioned off that had been at a puppy mill that were taken to the vet until they were cleared to go into foster homes. He stated that at one point there were twelve pugs in their home.

Buyers then inquired if all of the animals were spayed or neutered and the Applicant responded in the affirmative.

Majoros inquired of staff if the proposed fence meets requirements and Christiansen replied yes, that the permit is ready to be issued for it and that it is in compliance.

Majoros then asked the Applicant if the intention of the new fencing is for the dogs to be kept outside and Nathan indicated that pugs cannot survive in heat or rain or snow.

Buyers then stated for Special Land Uses conditions could be set.

Majoros then asked the Applicant what would happen if the Special Land Use is denied and Nathan responded they would somehow get rid of the dogs, that it would curtail the rescue operation, and that the most likely outcome for the animals would be euthanization.

Kmetzo inquired how many dogs the Nathans have licensed with the City and he responded three. She then asked the average length of the stay of the dogs and Nathan responded they have actually had one for fifteen months. He then indicated they had one that came from a kill shelter that ended up being blind and deaf and they did not feel it was fair for them to place it into a foster home so the animal lived out its life in their home.

Kmetzo then asked what was the largest amount of dogs that they have housed in recent times and the Applicant responded when they came back from Iowa in September, they had twenty-three dogs over the weekend until they could get into the vet.

The Applicant stated he had provided pictures of the quarters where the dogs live, that they are crated at night and when they are not at home.

Waun asked staff if there was any prior precedence in City for kennels and Christiansen responded no, that they are on a case by case basis and he cannot recall one occurring in his tenure with the City.

Crutcher asked staff if there is a maximum amount of dogs that can be kept with a kennel license and Christiansen responded that the Planning Commission can set any conditions necessary on a Special Land Use request to make sure use is compliant. He then inquired if the Special Land Use stays with the land or the ownership of the property and Christiansen responded the activity would cease on the sale of the home.

Buyers then stated he thought that the Special Land Use runs with the land and Christiansen indicated he would check with Counsel and verify that.

The Applicant indicated he would never transfer the Rescue to anyone else, that their organization has a stellar reputation and he would never let it change hands.

MOTION by Majoros, seconded by Buyers, to approve the Request for Special Land Use for 23927 Wesley, and schedule the Public Hearing for the Monday, January 11, 2016 Planning Commission Meeting date.  
Motion carried, all ayes.

Crutcher thanked the Applicants for their presentation.

### **2016 PLANNING COMMISSION MEETING SCHEDULE**

Christiansen indicated the Planning Commission Meetings are held on the second Monday of each month in City Council Chambers.

MOTION by Buyers, supported by Majoros, to move to adopt the 2016 Planning Commission Meeting Schedule.  
Motion carried, all ayes.

### **PUBLIC COMMENT**

None heard.

### **PLANNING COMMISSION COMMENT**

Crutcher introduced new Planning Commissioners Cathi Waun and Miriam Kmetzo and welcomed them.

Christiansen stated that Kmetzo came from the Zoning Board of Appeals where she has served since 2008 and was appointed by the City Council to the Planning Commission to fill the open seat of Jill Babcock. He indicated that Waun was appointed by the City Council to fill the remainder of the unexpired term of Sara Bowman.

Buyers inquired on the status of Gronbach and Chiara and Christiansen responded they remain to be members but both indicated they would be absent for tonight's meeting.

**STAFF COMMENTS**

None heard.

**ADJOURNMENT**

MOTION by Majoros, seconded by Buyers, to adjourn the meeting.  
Motion carried, all ayes.

The meeting was adjourned at 7:33 p.m.

Respectfully submitted,

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Secretary