



**BOARD OF ADJUSTMENT  
CITY OF PLEASANT HILL, IOWA  
DECISION AND ORDER**

This Decision and Order of the Board of Adjustment does not constitute approval of any construction. All necessary permits must be obtained before any construction is commenced upon the Property. A Certificate of Occupancy must be obtained before any structure is occupied or reoccupied after a change of use.

Any use allowed by this Decision and Order shall not be commenced or resumed until all the requirements imposed on such use by the Zoning Ordinance and this Order have been satisfied.

The use allowed by this Order must be commenced within **18 months, by Board specified date, or a building permit has been issued**. In the event the building permit for the construction expires or is canceled, then the Order will be void and of no further force and effect.

IN THE MATTER OF THE APPEAL FROM:

PRANCING PAWS PET BOUTIQUE

ON PROPERTY LOCATED AT:

W 231.4F ON N LN & W 260F ON S LN LT 27 LYG N OF  
MAPLE DR & S OF HWY 163 BECHTOLD HEIGHTS

CASE #:

BOA-05052022-01SE

PUBLIC HEARING:

MAY 5, 2022

SUBJECT OF THE APPEAL

**Proposal:** Allowance of a fence to be constructed in a commercial district.

**Appeal(s):** Special Exception permitting a fence in a commercial district.

**Affected City Zoning Code Sections:** Chapter 165 Section 17 Article 4

FINDING

It was found the request meets the criteria prescribed in Zoning Chapter 166.07.3.C.3.

Prancing Paws Pet Boutique  
4810 Maple Dr  
BOA-05052022-01SE  
May 5, 2022

DECISION AND ORDER

WHEREFORE, IT IS ORDERED that the appeal for a Special Exception permitting a fence in a commercial district is **approved** subject to the business suite maintaining current use and good standing with the Iowa Department of Agriculture.

VOTE

The foregoing Decision and Order was adopted by a vote of 4-0 with the majority of Board members present voting in favor thereof.

Signed, entered into record, and filed with the City of Pleasant Hill Community Development Department service as the office of the Board, on May 5, 2022.

DocuSigned by:

*LEANNE KRELL*

LeAnne Krell, Chairperson

*Jennifer Bartles*

Jennifer Bartles, Recording Secretary

Board of Adjustment  
Regular Meeting  
May 5, 2022

**1. CALL TO ORDER/ROLL CALL**

Pleasant Hill Board of Adjustment regular meeting was called to order at 5:30pm on Thursday, May 5, 2022 by Chairperson Krell. Present: LeAnne Krell, David Carroll, Elaine Castelline, and Kasey Steen. Absent: Carla Rivas.

**2. APPROVAL OF AGENDA**

STEEN/CASTELLINE moved to approve the agenda. Ayes: Unanimous. Motion carried.

**3. APPROVAL OF MINUTES JANUARY 6, 2022 MEETING**

STEEN/CARROLL moved to approve the May 5, 2022 meeting minutes. Abstain: Krell. Ayes: Unanimous. Motion carried.

**4. SPECIAL EXCEPTION REQUEST**

A request for a Special Exception under Chapter 165 Section 17 Article 4 has been filed by Prancing Paws, LLC for property located 4810 Maple Drive to allow for a fence to be constructed in a commercial district. Fences in commercial districts may be permitted by Special Exception by the Board of Adjustment.

The property identified in the petition is legally identified as:

W 231.4F ON N LN & W 260F ON S LN LT 27 LYG N OF MAPLE DR & S OF HWY 163 BECHTOLD HEIGHTS

And locally known as:

4810 MAPLE DR

Zoned:

C-1 NEIGHBORHOOD COMMERCIAL

**FOR THE RECORD**

Notice of Public Hearing was published in the Des Moines Register Tuesday, April 26, 2022.

**CITY REPORT**

Madeline Sturms, Community Development Director, introduced the special exception request stating Prancing Paws, LLC property located at 4810 Maple Dr to allow for a 6' chain link fence to be constructed in a commercial district.

165. *Title, Purpose and General Provisions.*

165.17. *Fences and Walls.*

4. *Industrial and Commercial Districts.*

*In industrial zoning districts, fences and walls not exceeding eight (8) feet in height are permitted within the limits of the side and rear yard. Fences within a commercial district, within the front yard of an industrial district, or exceeding eight (8) feet in height in industrial districts, may be permitted by special exception of the Board of Adjustment.*

**APPELLANT**

Kelsey Michael, owner of Prancing Paws, LLC, discussed application stating the family business has been in operation for 20 years; looking to make improvements on the business; fenced in area at the back of the building will act as a doggy waiting room, potty place, better and safer option to using leashes, 1-2 dogs at a most just for bathroom breaks, and the dogs will always be supervised; recently signed a 5 year lease; and landlord and other tenants have been asked about the fence and are in support of its installation.

**PUBLIC INPUT**

None

**DISCUSSION**

Board Members, City Attorney Brad Skinner, Applicant, and City Staff discussed other businesses in the building; landlord and tenant support of fenced area; and Department of Agriculture, State, and City regulations of pet grooming businesses.

**MOTION**

CASTELLINE/STEEN – moved to approve findings based on 3.c.3 criteria are met.

CASTELLINE/CASTELLINE – moved to approve special exception subject to the business remaining in good standing with the Iowa Department of Agriculture and current business use is maintained. Ayes: David Carroll, Carla Rivas, and Kasey Steen. Nays: None. Motion passed.

**5. ADJOURNMENT**

STEEN/CARROLL moved to adjourn. Ayes: Unanimous. Motion carried. Meeting was adjourned at 6:00.m.

Jennifer Bartles  
Recording Secretary