

When recorded return to:
Clerk of the Board
P.O. Box 827
Florence AZ 85132

RESOLUTION NO. 2025-SUP-007-23

A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS APPROVING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY LOCATED AT 49641 W JEAN DRIVE, MARICOPA, AZ (TAX PARCEL 510-63-0100) TO ALLOW FOR THE OPERATION OF A COMMERCIAL DOG KENNEL, IN CONNECTION WITH PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT CASE NO. 2025-SUP-007-23

WHEREAS, the Pinal County Board of Supervisors (the “**Board**”) is authorized pursuant to the Pinal County Development Services Code § 2.151.010 to approve Special Use Permits in order to conserve and promote the public health, safety, convenience and general welfare; and,

WHEREAS, on February 20, 2023, the Pinal County Community Development Department (the “**Department**”) received an application from Ranelle Abbott (the “**Applicant**”), owner of certain property located at 49641 W Jean Drive (Tax Parcel No. 510-63-0100) and legally described in the attached **Exhibit “A”** (the “**Property**”), requesting a Special Use Permit to operate a commercial dog kennel on the Property (a 3.3± acre parcel in the SR Suburban Ranch Zone), under Case No. SUP-007-23 (the “**SUP Application**”); and,

WHEREAS, on March 20, 2025, the Pinal County Planning and Zoning Commission (the “**Commission**”) held a public meeting and hearing on the SUP Application and considered the same (the “**3/20/25 Commission Public Meeting**”) along with twelve (12) stipulations of approval as set forth in the staff report presented to the Commission (the “**Original Commission Stipulations**”); and,

WHEREAS, at the 3/20/25 Commission Public Meeting the Commission voted 9-1 in favor of forwarding a recommendation of approval of the SUP Application to the Board subject to the Original Commission Stipulations; and,

WHEREAS, after the 3/20/25 Commission Public Meeting and Commission vote, specific concerns were raised to the Department staff regarding the operation of the proposed commercial dog kennel under the SUP Application; and,

WHEREAS, the Department staff discussed these concerns with the Applicant and subsequently presented the Board with modifications to the Original Commission Stipulations to address the concerns and the Department eliminated certain of the Original Commission Stipulations, which the Department staff determined were not applicable to the SUP Application, resulting in a total of ten (10) proposed revised stipulations of approval (the “**Department Revised Stipulations**”); and,

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WHEREAS, on May 28, 2025, the Board held a public meeting and hearing to consider the SUP Application and the Commission's recommendation and, in view of the Department Revised Stipulations, which the Commission had not considered when providing its recommendation to the Board, the Board voted 4-1 to remand the SUP Application to the Commission to be heard at its June 19, 2025 public meeting to allow the Commission to reconsider the SUP Application in light of the Department Revised Stipulations, and for the matter to be re-heard by the Board at its July 2, 2025 meeting; and,

WHEREAS, on June 19, 2025 the Commission held a public meeting and hearing on the SUP Application and reconsidered the same, together with the Department Revised Stipulations, whereat the Commission made further revisions to the Department Revised Stipulations by amending stipulations #4, #6, #8 and adding stipulation #11, as set forth in the attached **Exhibit "B"** (the "**P&Z Revised Recommended Stipulations of Approval**"); and,

WHEREAS, At the June 19, 2025 Commission meeting, the Commission voted 8-0 to forward a recommendation of approval of the SUP Application to the Board subject to the P&Z Revised Recommended Stipulations of Approval; and,

WHEREAS, approval of the SUP Application, subject to the P&Z Revised Stipulations of Approval, is consistent with and conforms to the county's comprehensive plan.

NOW, THEREFORE, BE IT RESOLVED by the Pinal County Board of Supervisors that the SUP Application (SUP-007-23) requesting approval to operate a commercial dog kennel on the Property is hereby approved, subject to the P&Z Revised Recommended Stipulations of Approval as set forth in **Exhibit "B"**.

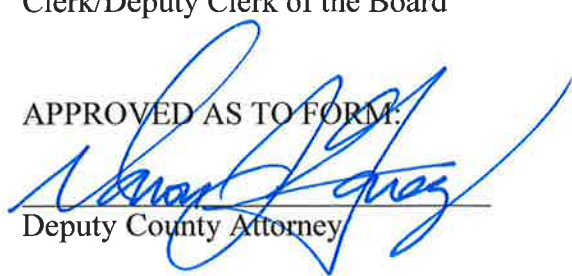
PASSED AND ADOPTED this 2nd day of July, 2025, by the PINAL COUNTY BOARD OF SUPERVISORS.

Chairman of the Board

ATTEST:

Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:



Deputy County Attorney

EXHIBIT "A"

TO

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LEGAL DESCRIPTION

Lot 10, of Papago Butte Ranchos - Unit No. I according to the Plat of record in the office of the county recorder of Pinal County, Arizona, in Book 18 of Maps, Page 16;

Excepting all coal, oil, gas and other mineral deposits as reserved unto the United States of America in the Patent of said land.

EXHIBIT “B”

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[P&Z Revised Recommended Stipulations of Approval]

- 1) The Special Use Permit is issued to the land and shall be binding on the property owner from date of the Board of Supervisors approval; and,
- 2) Approval of this Special Use Permit (SUP) will require, that the applicant/owner/developer submit and secure from the applicable and appropriate Federal, State, County and Local regulatory agencies, all required applications, plans, permits, supporting documentation and approvals necessary for its operation; and,
- 3) Signage on the site shall not be permitted; and,
- 4) The number of adult dogs allowed on the property shall be limited to seven (7) at any time; and,
- 5) A 7-foot-high opaque fence composed of metal, wood, and/or vinyl fence, shall be constructed by the property owners along the property line abutting their neighbor's property at 12330 N. White Road, in accordance with all Pinal County Development Services Code requirements, and shall be completed within four (4) months of the approval of the SUP; and,
- 6) All dogs on the property shall be housed and maintained inside kennels from 9:00 p.m. to 6:00 a.m. on a daily basis, except that the dogs shall be brought into their kennels during daylight hours for a minimum of 3 hours; and,
- 7) In addition to complying with all Pinal County Development Services Code requirements relating to excessive noise caused by dogs, “excessive barking” as defined below, is prohibited. Further, the applicant shall take appropriate and necessary measures to mitigate any excessive barking, such as the use of bark collars, use of insulation or other materials to reduce the level of sound from kennels, so as to avoid disturbing the peace and quiet of another person with excessive barking without justifiable cause, as determined by the zoning inspector or code compliance officer. For purposes of this SUP, excessive barking shall be defined as frequent intermittent barking of more than 15 minutes, or sustained barking of more than 15 minutes in the early morning (prior to 5:00 a.m.) or late at night (after 10:00 p.m.) during the same timeframe; and,
- 8) A current, valid commercial license from Pinal County Animal Care & Control shall be maintained at all times while the dog kennel is operational, excepting only a 30 day lapse, unless the lapse is caused by Pinal County; and,
- 9) An action to revoke the SUP shall be initiated by the zoning inspector's or code compliance officer's determination that the property does not meet or is not in compliance with any of these Stipulations of Approval. Pursuant to Pinal County Development Services Code §

2.151.010(V), a notice shall be sent to the property owner and/or lessee of the property covered by the SUP requiring compliance with the conditions of approval within 15 calendar days. Upon failure to comply within the specified time period, the supervisors, after notification by certified mail to the property owner and/or the lessee of the property covered by the SUP, shall schedule and hold a public hearing to determine if the special use complies with the conditions of approval and for possible action. The Supervisors may extend the time for compliance or approve or deny the revocation with or without conditions;

- 10) The property owner and/or the lessee of the property and/or the operator of the kennel, shall allow Pinal County employees to enter upon the property upon request for purposes of inspections to ensure compliance with these conditions of approval; and,
- 11) If there is any change in property ownership or licensee after the SUP is approved by the Board of Supervisors, then the SUP shall become null and void on the effective date of the transfer of property ownership (Parcel #510-63-0100). The current owners (Byers-Abbott Family Living Trust - Russell C. & Ashelle S. Byers, Trustees) shall notify Pinal County at least thirty (30) calendar days prior to the property ownership change or change of licensee by way of Certified United States Mail, return receipt requested, and sent to the following address: Attn: Pinal County Development Services c/o Clerk of the Board, P.O. Box 827, Florence, Arizona 85132.