

## CLAY COUNTY PLANNING AND ZONING COMMISSION MINUTES

July 7, 2015

Regular meeting of the Clay County Planning and Zoning Commission, Commission Hearing Room, 3<sup>rd</sup> Floor, County Administration Building, One Courthouse Square, Liberty, MO.

Call to Order at 6:30 pm.

Roll Call

Members Present: Mark Beggs, Jim Carlson, Duane Jackson, Tom Decker, and David Rhodus

Members Absent:

Staff Present: Matt Tapp, Manager  
Debbie Viviano, Planner  
Tim Flook, Assistant County Counselor  
Angie Stokes, Secretary

**Mr. Beggs:** Good evening ladies and gentlemen, I would like to welcome everyone to the July 7, 2015 regular meeting of the Clay County Planning and Zoning Commission, roll call please.

**Mr. Tapp:** Duane Jackson?

**Mr. Jackson:** Present.

**Mr. Tapp:** David Rhodus?

**Mr. Rhodus:** Present.

**Mr. Tapp:** Jim Carlson

**Mr. Carlson:** Present.

**Mr. Tapp:** Tom Decker?

**Mr. Decker:** Present.

**Mr. Tapp:** Chairman Mark Beggs?

**Mr. Beggs:** Present. Just for everybody's information we will be recording the meeting tonight so when you speak we will have you state your name and address, we want everyone that comes forward and speak at the podium, have you say your name and address so we can transcribe the meeting minutes it helps us keep track of who is saying what. All the orders of business tonight will come before the Clay County Commission hearing on July 20<sup>th</sup> at 10 o'clock it will be here in this room everyone is welcome to attend that. With that we will go ahead with our regular order of business, first order of business is the approval of June 2, 2015 Planning and Zoning Commission minutes.

**Mr. Carlson:** I make a motion that we approve the June 2, 2015 minutes.

**Mr. Beggs:** Do we have a second?

**Mr. Jackson:** Second.

**Mr. Beggs:** Vote please.

**Mr. Tapp:** Duane Jackson?

**Mr. Jackson:** Approve.

**Mr. Tapp:** David Rhodus?

**Mr. Rhodus:** Approve.

**Mr. Tapp:** Jim Carlson?

**Mr. Carlson:** Approve.

**Mr. Tapp:** Tom Decker?

**Mr. Decker:** Approve.

**Mr. Tapp:** Chairman Mark Beggs.

**Mr. Beggs:** Approve.

**Mr. Tapp:** Motion carries.

**Final Vote: 5/0/0 Approve June 2, 2015 Minutes**

**Mr. Beggs:** We will move to our regular agenda the first case tonight is case number July 15-123RZ/P a request for rezoning from Agricultural (AG) District to Residential Ranchette (R-5) District with an Agricultural Land Preservation (ALP) overlay district and preliminary plat approval of Java Hill located at 29204 Ridge Road, applicant is Danny O’Neill. Is there a representative of the applicant present? Okay thank you, staff report.

**Mr. Tapp:** Yes Mr. Chairman I would like to attach the staff report as part of the record.

**Mr. Beggs:** So be it.

**Mr. Tapp:** Summarized the staff report July 15-123RZ/P dated June 29, 2015. Mr. O’Neill is here to answer any questions.

**Mr. Beggs:** Can I have you step forward please, state your name and address for the record.

**Mr. O’Neill:** Danny O’Neill 29204 Ridge Road, Excelsior Springs.

**Mr. Beggs:** Are you familiar with the staff report?

**Mr. O’Neill:** Yes.

**Mr. Beggs:** Are you in agreement with all that was said and the conditions?

**Mr. O’Neill:** Yes.

**Mr. Beggs:** Do you have any questions for us or staff?

**Mr. O’Neill:** No, I don’t think so, I would be happy to answer any questions you have.

**Mr. Beggs:** Okay, thank you. Any public comments, any questions or comments from the Commission, any discussion? I will entertain a motion.

**Mr. Carlson:** I will make a motion that we approve the rezoning from Agricultural (AG) to Residential Ranchette (R-5) District with an Agricultural Land Preservation (ALP) overlay district of Java Hill with 5.05 acres located at 29204 Ridge Road.

**Mr. Beggs:** Do I have a second?

**Mr. Decker:** I’ll second.

**Mr. Beggs:** Vote please.

**Mr. Tapp:** Duane Jackson?

**Mr. Jackson:** Approve.

**Mr. Tapp:** David Rhodus?

**Mr. Rhodus:** Approve.

**Mr. Tapp:** Jim Carlson?

**Mr. Carlson:** Approve.

**Mr. Tapp:** Tom Decker?

**Mr. Decker:** Approve.

**Mr. Tapp:** Chairman Mark Beggs.

**Mr. Beggs:** Approve.

**Mr. Tapp:** Motion carries.

**Final Vote: 5/0/0 Approved, July 15-123RZ/P; Java Hill– Rezoning  
With zero (0) Conditions**

**Mr. Beggs:** Second motion for rezoning...

**Mr. Tapp:** That was for rezoning now we need a separate motion for preliminary plat.

**Mr. Beggs:** Then a motion for the preliminary plat.

**Mr. Carlson:** I’ll make a motion that we approve the preliminary plat of Java Hill, 5.05 acres located at 29204 Ridge Road.

**Mr. Jackson:** Second.

**Mr. Beggs:** Vote.

**Mr. Tapp:** Duane Jackson?

**Mr. Jackson:** Approve.

**Mr. Tapp:** David Rhodus?

**Mr. Rhodus:** Approve.

**Mr. Tapp:** Jim Carlson?

**Mr. Carlson:** Approve.  
**Mr. Tapp:** Tom Decker?  
**Mr. Decker:** Approve.  
**Mr. Tapp:** Chairman Mark Beggs.  
**Mr. Beggs:** Approve.  
**Mr. Tapp:** Motion carries.

**Final Vote: 5/0/0 Approved, July 15-123RZ/P; Java Hill– Preliminary Plat  
With one (1) Condition**

**Mr. Beggs:** The second case tonight is case number July 15-124F it's a request for final plat approval of Java Hill a proposed subdivision located at 29204 Ridge Road, the applicant is Danny O'Neill, staff report.

**Mr. Tapp:** Yes Mr. Chairman first I would like to attach the staff report as part of the record.

**Mr. Beggs:** So be it.

**Mr. Tapp:** Summarized the staff report July 15-124F dated June 29, 2015.

**Mr. Beggs:** Thank you, can I have the applicant step forward again.

**Mr. O'Neill:** Danny O'Neill, 29204 Ridge Road, Excelsior Springs.

**Mr. Beggs:** You are familiar with the staff's report and the conditions that they listed for your final plat are you in agreement with all of that?

**Mr. O'Neill:** Yes.

**Mr. Beggs:** Any questions or concerns?

**Mr. O'Neill:** No.

**Mr. Beggs:** Okay thank you. Any public comments? Any comments or questions from the Commission? I'll entertain a motion for the final plat approval.

**Mr. Decker:** I will make a motion to approve the final plat of Java Hill proposed subdivision located at 29204 Ridge Road.

**Mr. Beggs:** I might add to that with the conditions shown in Exhibit A.

**Mr. Decker:** With conditions shown in Exhibit A.

**Mr. Carlson:** Second.

**Mr. Beggs:** Vote please.

**Mr. Tapp:** Duane Jackson?

**Mr. Jackson:** Approve with conditions.

**Mr. Tapp:** David Rhodus?

**Mr. Rhodus:** Approve with conditions.

**Mr. Tapp:** Jim Carlson?

**Mr. Carlson:** Approved with conditions

**Mr. Tapp:** Tom Decker?

**Mr. Decker:** Approve with conditions.

**Mr. Tapp:** Chairman Mark Beggs?

**Mr. Beggs:** Approve with conditions.

**Mr. Tapp:** The motion carries.

**Final Vote: 5/0/0 Approved, July 15-124F; Java Hill– Final Plat  
With one (1) Condition**

**Mr. Beggs:** The third case tonight is case number July 15-125F it's a request for final plat approval of Mandi Acres it's a proposed subdivision located at approximately 15215 Francis Road and the applicant is Russell Frick. Staff report?

**Mr. Tapp:** Yes Mr. Chairman I would like to attach the staff report as part of the record.

**Mr. Beggs:** So be it.

**Mr. Tapp:** Summarized the staff report July 15-125F dated June 29, 2015.

**Mr. Beggs:** Thank you, Mr. Frick can I have you step forward and state your name and address for the record.

**Mr. Frick:** Russell Frick, I live at 15215 Francis Road, Kearney, MO.

**Mr. Beggs:** You're familiar with the staff's report and you are familiar with the conditions that they have attached and you are in agreement with those?

**Mr. Frick:** Yes.

**Mr. Beggs:** Any questions or concerns?

**Mr. Frick:** No.

**Mr. Beggs:** Thank you. Any public comment? Any comments or questions from the Commission? I'll entertain a motion for the final plat approval.

**Mr. Decker:** I'll make a motion for a final plat approval for Mandi Acres proposed subdivision located at approximately 15215 Francis Road with the attached conditions shown in Exhibit A.

**Mr. Beggs:** Thank you do I have a second?

**Mr. Carlson:** Second.

**Mr. Beggs:** Vote please.

**Mr. Tapp:** Duane Jackson?

**Mr. Jackson:** Approve with conditions.

**Mr. Tapp:** David Rhodus?

**Mr. Rhodus:** Approve with conditions.

**Mr. Tapp:** Jim Carlson?

**Mr. Carlson:** Approved with conditions

**Mr. Tapp:** Tom Decker?

**Mr. Decker:** Approve with conditions.

**Mr. Tapp:** Chairman Mark Beggs?

**Mr. Beggs:** Approve with conditions.

**Mr. Tapp:** Motion carries.

**Final Vote: 5/0/0 Approved, July 15-125F; Mandi Acres– Final Plat  
With three (3) Conditions**

**Mr. Beggs:** Our fourth case tonight is case number July 15-126RZ/P it's a request for rezoning from Agricultural (AG) to Residential Rural (R-1) District with an Agricultural Land Preservation (ALP) overlay district for ONLY Lot 2, and preliminary plat approval for the proposed subdivision of Eckerberg Estates located at approximately 18710 Nation Road, the applicants are Aaron D. and Nicole D. Eckerberg. Is there a representative of the applicants? Thank you, staff have a report?

**Mr. Tapp:** Yes Mr. Chairman I would like to attach the staff report as part of the record.

**Mr. Beggs:** So be it.

**Mr. Tapp:** Summarized the staff report July 15-126RZ/P dated June 30, 2015.

**Mr. Beggs:** Thank you, can I have a representative of the applicant come forward, state your name and address.

**Mr. Eckerberg:** I'm Aaron Eckerberg and we own the property at 18710 Nation Road.

**Mr. Beggs:** And you are familiar with the staff's report?

**Mr. Eckerberg:** Yes.

**Mr. Beggs:** And you are in agreement with that report?

**Mr. Eckerberg:** We are.

**Mr. Beggs:** And you are familiar with the conditions they set forth?

**Mr. Eckerberg :** Yes.

**Mr. Beggs:** And you are in agreement with those?

**Mr. Eckerberg:** Yes.

**Mr. Beggs:** Okay very good, thank you. Any questions or comments?

**Mr. Eckerberg:** No.

**Mr. Beggs:** Thank you. Any questions or comments from the public? Any from the Commission, questions or comments? I would entertain a motion.

**Mr. Carlson:** I make a motion that we approve the rezoning from Agricultural District to Residential Rural (R-1) with an Agricultural Land Preservation (ALP) overlay district for only lot 2 for Eckerberg Estates.

**Mr. Beggs:** Do I have a second?

**Mr. Jackson:** Second.

**Mr. Beggs:** Vote please.

**Mr. Tapp:** Duane Jackson?

**Mr. Jackson:** Approve.

**Mr. Tapp:** David Rhodus?

**Mr. Rhodus:** Approve.

**Mr. Tapp:** Jim Carlson?

**Mr. Carlson:** Approve.

**Mr. Tapp:** Tom Decker?

**Mr. Decker:** Approve.

**Mr. Tapp:** Chairman Mark Beggs.

**Mr. Beggs:** Approve.

**Mr. Tapp:** Motion carries.

**Final Vote: 5/0/0 Approved, July 15-126RZ/P; Eckerberg Estates– Rezoning  
With zero (0) Conditions**

**Mr. Beggs:** I will entertain a motion for the preliminary plat approval.

**Mr. Decker:** I will make a motion to approve the preliminary plat of the proposed subdivision of Eckerberg Estates located at 18710 Nation Road.

**Mr. Beggs:** I might add with conditions listed under Exhibit A.

**Mr. Decker:** With conditions attached in Exhibit A.

**Mr. Beggs:** Thank you can I have a second?

**Mr. Rhodus:** I'll second.

**Mr. Beggs:** Vote please.

**Mr. Tapp:** Duane Jackson?

**Mr. Jackson:** Approve with conditions.

**Mr. Tapp:** David Rhodus?

**Mr. Rhodus:** Approve with conditions.

**Mr. Tapp:** Jim Carlson?

**Mr. Carlson:** Approved with conditions

**Mr. Tapp:** Tom Decker?

**Mr. Decker:** Approve with conditions.

**Mr. Tapp:** Chairman Mark Beggs?

**Mr. Beggs:** Approve with conditions.

**Mr. Tapp:** Motion carries.

**Final Vote: 5/0/0 Approved, July 15-126RZ/P; Eckerberg Estates– Preliminary Plat  
With one (1) Condition**

**Mr. Beggs:** The next case is case number July 15-127F it's a request for a final plat approval of Eckerberg Estates located at approximately 18710 Nation Road, the applicants are Aaron D. and Nicole D. Eckerberg, staff report please.

**Mr. Tapp:** Yes Mr. Chairman I would like to attach the staff report as part of the record.

**Mr. Beggs:** So be it.

**Mr. Tapp:** Summarized the staff report July 15-127F dated June 30, 2015.

**Mr. Beggs:** Can the applicants come forward once again? State your name and address.

**Mr. Eckerberg:** Aaron Eckerberg, 18710 Nation Road.

**Mr. Beggs:** Are you familiar with the staff's report for the final plat approval?

**Mr. Eckerberg:** Yes.

**Mr. Beggs:** Are you familiar with the conditions they've attached.

**Mr. Eckerberg:** Yes.

**Mr. Beggs:** Are you in agreement with those?

**Mr. Eckerberg:** I am.

**Mr. Beggs:** Any questions or concerns?

**Mr. Eckerberg:** No.

**Mr. Beggs:** Okay thank you. Any questions or concerns from the public? Commission is there any questions or concerns? I will entertain a motion.

**Mr. Decker:** I'll make a motion to approve the final plat of Eckerberg Estates located at approximately 18710 Nation Road with the conditions shown in Exhibit A.

**Mr. Beggs:** Thank you do I have a second?

**Mr. Rhodus:** Second.

**Mr. Beggs:** Vote please.

**Mr. Tapp:** Duane Jackson?

**Mr. Jackson:** Approve with conditions.

**Mr. Tapp:** David Rhodus?

**Mr. Rhodus:** Approve with conditions.

**Mr. Tapp:** Jim Carlson?

**Mr. Carlson:** Approve with conditions.

**Mr. Tapp:** Tom Decker?

**Mr. Decker:** Approve with conditions.

**Mr. Tapp:** Chairman Mark Beggs?

**Mr. Beggs:** Approve with conditions.

**Mr. Tapp:** The motion carries.

**Final Vote: 5/0/0 Approved, July 15-127F; Eckerberg Estates– Final Plat  
With one (1) Condition**

**Mr. Beggs:** Next case is case number July 15-128F it is a request for a final approval of Rose Acres Second Plat which is A Replat of Lots 2 and 3 of Rose Acres located at approximately 24205 NE 136<sup>th</sup> Terrace, the applicants are Michael and Suzanne Phillips. Is a representative of the applicants present? Thank you, staff report.

**Mr. Tapp:** Yes Mr. Chairman I would like to attach the staff report as part of the record.

**Mr. Beggs:** So be it.

**Mr. Tapp:** Summarized the staff report July 15-128F dated June 30, 2015.

**Mr. Beggs:** Thank you, can I have a representative of the applicants come forward, state your name and address for the record please.

**Ms. Phillips:** Suzie Phillips, 24205 NE 136<sup>th</sup> Terrace.

**Mr. Beggs:** Thank you; are you familiar with the staff's report?

**Ms. Phillips:** Yes.

**Mr. Beggs:** Are you familiar with the conditions that they have attached?

**Ms. Phillips:** Yes.

**Mr. Beggs:** You are in agreement with those?

**Ms. Phillips:** Yes.

**Mr. Beggs:** Okay, any questions or concerns for us or staff?

**Ms. Phillips:** No.

**Mr. Beggs:** Thank you, any questions or comments from the public? Any questions or comments from the Commission?

**Mr. Decker:** I have a question for the applicants.

**Mr. Beggs:** Okay if you could step back forward please.

**Mr. Decker:** Is the existing house going to remain?

**Ms. Phillips:** There is no house it's an outbuilding.

**Mr. Beggs:** Thank you. Any more questions or comments? I will entertain a motion.

**Mr. Carlson:** I make a motion that we approve the final plat for Rose Acres 2<sup>nd</sup> Plat located at approximately 24205 NE 136<sup>th</sup> Terrace with the conditions in Exhibit A.

**Mr. Beggs:** Thank you do I have a second?

**Mr. Rhodus:** Second.

**Mr. Beggs:** Vote please.

**Mr. Tapp:** Duane Jackson?

**Mr. Jackson:** Approve with conditions.

**Mr. Tapp:** David Rhodus?

**Mr. Rhodus:** Approve with conditions.

**Mr. Tapp:** Jim Carlson?

**Mr. Carlson:** Approve with conditions.

**Mr. Tapp:** Tom Decker?

**Mr. Decker:** Approve with conditions.

**Mr. Tapp:** Chairman Mark Beggs?

**Mr. Beggs:** Approve with conditions.

**Mr. Tapp:** Motion carries.

**Final Vote: 5/0/0 Approved, July 15-128F; Rose Acres Second Plat–Final Plat  
With two (2) Conditions**

**Mr. Beggs:** Our next case is case July 15-129V which is a request to vacate utility easements within Lots 2 and 3 of Rose Acres located at approximately 24205 NE 136<sup>th</sup> Terrace the applicants are Michael and Suzanne Phillips, staff report please.

**Mr. Tapp:** Yes Mr. Chairman I would like to attach the staff report as part of the record.

**Mr. Beggs:** So be it.

**Mr. Tapp:** Summarized the staff report July 15-129V dated June 30, 2015.

**Mr. Beggs:** Okay thank you; applicants come forward please state your name one more time.

**Ms. Phillips:** Suzie Phillips, 24205 NE 136<sup>th</sup> Terrace, Excelsior Springs.

**Mr. Beggs:** Are you familiar with the staff's report regarding the vacation easements?

**Ms. Phillips:** Yes.

**Mr. Beggs:** Are you in agreement with that?

**Ms. Phillips:** Yes.

**Mr. Beggs:** Let me look to see if there are any conditions.

**Mr. Tapp:** There's one, resolution to vacate.

**Mr. Beggs:** Are you familiar with that condition?

**Ms. Phillips:** Yes, we have all the forms.

**Mr. Beggs:** And you are in agreement with those?

**Ms. Phillips:** Yes and I've got Clay Platte's okay, that is the last one.

**Mr. Beggs:** Okay and you are in agreement with everything?

**Ms. Phillips:** Yes.

**Mr. Beggs:** Okay thank you. Any comments from the public? Any questions or comments from the Commission? I will entertain a motion.

**Mr. Decker:** I'll make a motion to approve the request to vacate the utility easements located within Lots 2 and 3 of Rose Acres located at 24205 NE 136<sup>th</sup> Terrace with the attachment shown in Exhibit A.

**Mr. Beggs:** Thank you do I have a second?

**Mr. Rhodus:** Second.

**Mr. Beggs:** Vote please.

**Mr. Tapp:** Duane Jackson?

**Mr. Jackson:** Approve with conditions.  
**Mr. Tapp:** David Rhodus?  
**Mr. Rhodus:** Approve with conditions.  
**Mr. Tapp:** Jim Carlson?  
**Mr. Carlson:** Approve with conditions.  
**Mr. Tapp:** Tom Decker?  
**Mr. Decker:** Approve with conditions.  
**Mr. Tapp:** Chairman Mark Beggs?  
**Mr. Beggs:** Approve with conditions.  
**Mr. Tapp:** Motion carries.

**Final Vote: 5/0/0 Approved, July 15-129V; Rose Acres Second Plat–Vacate UE  
With one (1) Condition**

**Mr. Beggs:** Our final case tonight is case July 15-130CUP which is a request for a conditional use permit (CUP) to operate an Exotic/Dangerous/Wild (EDW) animal facility on the Residential Rural (R-1) District zoned property of Carrie Hills North, Lot 10 at 7815 Houser Street the applicant is Jennifer Kasserman. Is there a representative of applicant present?

**Mr. Ford:** Yes good evening I'm Edward Ford representing the applicant Jennifer Kasserman who is here in person.

**Mr. Beggs:** Okay very good.

**Mr. Ford:** And with many of her neighbors and supporters.

**Mr. Beggs:** Okay thank you; can we have a staff report.

**Mr. Tapp:** Yes Mr. Chairman I would first like to attach the staff report as part of the record.

**Mr. Beggs:** So be it.

**Mr. Tapp:** Summarized the staff report July 15-130CUP dated June 30, 2015. (And an update to this since the writing we have received additional writings and e-mails from the applicant/owner with letters of support as well as another phone call from a surrounding neighbor voicing concern over the EDW, an update to this writing and staff will be handing out copies of those for the Commissioner's review.) Jennifer Kasserman is here to answer further questions as well as Representative Ed Ford.

**Mr. Beggs:** Thank you. I am going to go ahead a read through these recommendations and the conditions under which this CUP will be considered.

**Mr. Tapp:** And Mr. Chairman perhaps some housekeeping measure the items I am handing out now between the writing of the staff report and this meeting should probably be attachment E and then any additional request for documentation in here should be attachment letters following after that so F, G, H etc. etc. Just so we know everyone is on the same page as to what attachment we are talking about. There were quite a few that came in post writing of the staff report.

**Mr. Beggs:** I am just going to go ahead and read these conditions on which a CUP, that the staff is recommending if the CUP is approved. The first one is "The applicant shall comply with all the conditions and requirements of the Land Development Code Section 151-3.10, Conditional Use Permits and Section 151-6.2(E), Animals, Exotic/Dangerous/Wild (EDW), or as amended". Second one is "The CUP shall be based on a time frame of two years". Third condition is "This CUP may be revoked at any time based on validated public complaints for violations to the LDC substantiated by County staff". The fourth condition is "Proper notification and registration with the Clay County Sheriff's Office of the EDW animal facility". Fifth condition is "8-foot perimeter fence at least 3 feet from any enclosure must be extended around the entirety of the EDW animal facility". Sixth condition is "Emergency Plan must be submitted and approved by staff". Seventh condition is "Screening must be required to provide for an uninterrupted obstruction of view along Houser Street and adjacent properties so as to block the view of the EDW animal facility. Screening must be in the form of natural vegetation that adequately shields the view from Houser Street and adjacent properties". Eighth condition is "The applicant shall comply with and meet all codes and regulations stipulated by any local, state and federal governmental entities having jurisdiction over animal care and/or EDW animal facilities, or as amended". Ninth

condition is “Lighting shall be directed downward and shielded from direct glare on nearby properties and roadways”. Tenth condition is “Display sign must be placed upon the premises stating that there are EDW animals on the property. The sign shall be visible and capable of being read from the public street that abuts the property”. Condition eleven is “Once approved, this CUP is non-transferable, therefore, if ownership changes a new CUP must be filed with the Clay County Planning and Zoning office”. Those are the eleven conditions with that read I’ll have a representative step forward.

**Mr. Ford:** Thank you.

**Mr. Beggs:** State your name and address please.

**Mr. Ford:** Ed Ford and my law office is at 110 NW Barry Road, Kansas City in Clay County, Missouri. Mr. Chairman the first thing I will ask I do have some additional information for the Commission and information I would like to hand it out.

**Mr. Beggs:** Okay we’ll take that, so we are onto attachment E?

**Mr. Tapp:** F.

**Mr. Beggs:** This will be received as attachment F. Mr. Tapp did you get one?

**Mr. Tapp:** Yes we have one.

**Mr. Beggs:** Thank you.

**Mr. Ford:** Many of the letters in support you may have already received from Mr. Tapp.

**Mr. Beggs:** There were two I believe in the packet that we received.

**Mr. Tapp:** Actually Mr. Chairman there should be let me state the last names so we are clear, there are actually four or five. So we have a letter from the veterinarian Dr. Dean Kolich, I hope I am pronouncing that right, from Rebecca Mason with North Kansas City Schools, Michelle Endsley, Erin Cox, Della Grantham and Jerry and Susie Delgrado, so one, two, three, four, five plus the veterinarian’s letter so six total. And then attachment...

**Mr. Beggs:** I think I’ve got six, Grantham did you pick up that one? The sixth one was Jerry and Susie Delgrado.

**Mr. Tapp:** So one, two, three, four, five plus the veterinarian’s, six

**Mr. Beggs:** Okay.

**Mr. Tapp:** If you want to count the veterinarian which is more of a statement rather than a letter of support. And then attachment E which is the information between the writing and the meeting, so we have ourselves Brandy Harrington, Andrea Haggard, Carol A. Bean, Gloria J. Roberts, Rachel Love, Scott Hopkins, Lynn Culver from the Feline Conservation Federation, Nancy Elkins Mense, John L. Kasserman I believe that is it. What I would say then Mr. Ford is that the staff check see if we are missing any that are inside your attachment and try and make sure we got them all covered.

**Mr. Ford:** I believe all that you mentioned that are part of Exhibit E are also part of Exhibit F.

**Mr. Tapp:** Okay.

**Mr. Ford:** And only one is duplicated from the staff report and that is from the neighbor Delgrado, otherwise these 35 new letters would be in addition to the initial staff report but not in addition to Exhibit E.

**Mr. Beggs:** Okay thank you, so comments?

**Mr. Ford:** Comments yes thank you, we are here to rest any public safety health concerns that this Commission may have there are a number of neighbors and folks who are here in support that we anticipate will testify. I originally had planned on bringing a number of the animals with us this evening and that is because my client Jennifer exhibits these animals frequently, she exhibits them at schools, at libraries, at camps and this would not have been awkward in the least for her to bring five, six, seven of the animals and show you how docile, gentle, small that most of them are, Mr. Flook talked me out of it. But we have an open invitation to the Commission if they would like to come out and see the premises and see the animals and see how well cared for they are and how the public is protected in terms of the caging. So the three issues and I am going to ask Jennifer to touch on all of these things that I think that the Commission needs to know in order to make a decision in this case is a little discussion who the animals are and one of the things we did in the last Exhibit we included a Wikipedia articles about the animals that are covered in the Clay County Zoning Code. And you need to hear about her qualification, her experience, her licensing and then the roll of the USDA because they are the ones who regulate this, they are the ones that came on site, they’re the ones that license, they’re the ones that come out at any time to do a pop inspection, they can pull her license if things are

not right and the fact that in every regards she meets or exceeds all of their standards on so with that I'll ask Jennifer to come up and start by talking about some of the animals that she has on the property that she brings when visiting kids.

**Mr. Beggs:** I might have you state your name and address so we can....

**Ms. Kasserman:** My name is Jennifer Kasserman I reside at 7815 N Houser Street in Kansas City, Missouri 64167, Carrie Hills. As Ed was saying I've multiple different animals and species we do educational programs, we also do research and the staff report when it talks about my Class B license and it says that I can broker and breed I also am an exhibitor and allowed to transport, also that's a license so that I can take them, my house is not actually open to the public so I don't have traffic or people coming in there we bring the zoo to you as a way of speaking it. Most of the animals that we have are small fur-bearing animals I have a few small reptiles, I've got a couple different tortoises we like to start with if anybody knows the differences between a turtle and a tortoise, do any of you guys know that? I will do a little lesson with that, our tortoises; I am not a Missouri Conservation Rehabber because I don't take in all the rehabs, like squirrels, opossums so I like to have the animals that are different than what kids see every day but also so that it's related. Two of our most popular are our red and yellow footed tortoises, the red footed is about four years old, she's about this big, I've got two yellow footed that are about seven and nine they are this large and they are from South America and they are the cousins of the red ear and yellow eared cider turtles that you would find here in Missouri ponds. So it's a neat one to take and show them that they can see something that is different that is also related to something they are familiar with most of the public is actually familiar with the turtles. I have a couple small lizards also I don't have anything that is poisonous or venomous or over eight foot as far as a reptile goes USDA has a whole different regulation with those and it's not something that we cover and personally not something I prefer to deal with. As far as the smaller animals go we've got the second softest animal in the world which is chinchilla we like to take it, the foxes are one of our neatest things we've got, I've got a Fennec Fox it's actually the smallest canine in the world they have very large ears they can hear four feet underground and can also regulate their temperature with them so that is a neat thing for the kids to learn and see that it's not just hearing, but it also does things for them, the Fennec Fox is from South America so he's not native. Again without doing Missouri I don't have any Red Foxes because those would be what we have. I also have the Swift Fox and for my research purpose with foxes, actually one of the second strongest of the animals that we have it's the largest skulk of Swift Foxes if you are not familiar with what skulk is kangaroos would be a mob, a gaggle of geese, skulk would be your foxes. Swift Foxes became almost extinct in Canada years ago a couple different groups came together to try and repopulate, they've got them in there they are about in 35% of their native area back now, they are considered watched and unleash concerned with threatened because they are in lower areas in Texas and have been able to build the population up but they are still struggling and is definitely not at its 50% or a little bit more. One of the things with the Swift Fox is breeding is very hard for in zoos for them to breed animals because they've got people coming through, there is too much traffic population and stuff so I currently have five that's the largest in the United States at the moment other than for farms that are not registered and sharing that. We're hoping for possibly to have baby kids at some point, they only breed once a year we unfortunately they did not have this year we are still hoping one of the groups is very young so all the animals, any of the animals that I do breed go to other license sanctuaries, zoos, exhibitors I am not selling to private owners I don't have ads on Craig's List or anything like that, they are all also pretty much spoken for so the Canada Lynx that I have, I have two of them they are four. I've had them actually probably since 2011 and we are hoping this year is the possibly the first year that their age for them to be able to breed and the first born of them actually goes to Cedar Cove Conservation Center. We've got plans for them it's not a matter of that, all the breeding is controlled there's no animals that are just sitting together and hoping to see if we can go out and find something. The armadillos is one of the animals that you guys have listed, my armadillo is a South American armadillo her name is Eileen and she is the picture that you guys have there with the cards, our business cards are a little bit different we actually use them as animal training cards so they are more for during the programs so the children and the adults, everybody actually gets a picture of an animal that they actually really saw and met that day and didn't camera and also the information on the back. Eileen is very special she's actually our main mascot she is only about 3 pounds maybe, she is about this big, it would be about half the size of the armadillos

you would find around here in North America so if you have ever seen them they migrate up sometimes Branson, I think is the closest we've seen, road kill is sadly is normally what it is. People get a little concerned with armadillos because they think they bring disease the North America armadillo actually does carry leprosy, South America armadillo does not, Eileen was actually brought in she's a site H1 animal she was brought in over from South America she's gone through quarantine she's been here for 3 ½ almost 4 years now so we know that she's safe and cannot carry any diseases with that so it's not something that we house. The Canada Lynx, I said about them, the Non-human primate that I have, I do have a Vervet Monkey he is only, he was born March 1<sup>st</sup> so he's just a few months old, Vervet's are from Africa, they're a smaller monkey he's not going to get longer than 22 – 24 inches tops at that, he's a sweet little guy about this big, his name is Blue, the kids really enjoy getting to see that. Missouri does not have a lot, actually as far as no touch, Kansas does with my exhibitors license I do travel to different places, I can go out of state I work with those states for the permits, my USDA inspector also has a schedule of all my exhibits. She's allowed to show up at my home at any time to inspect, she's also allowed to show up at any public place too. We exhibit at all Mid-Continent Libraries throughout the year we have a contract with them for their educational programs. Those are free and open to the public also so that is something nice they do, a lot of different things there, you guys are more than welcome, we are also doing Weston, Thursday at 10 o'clock; and we will be at Blue Springs library on Thursday at 2 pm, if you are interested in that. The schedule is, if you go to our website, we've got a link that talks about the programs and shows the Mid-Continent Libraries schedules, since they are free and open to the public.

**Mr. Ford:** Talk about the TV stars.

**Ms. Kasserman:** The TV stars, we do have, one of the animals that I have is not on the list for state or for the county is I do have African Servals, it was actually my passion what I started with, they are a small feline, they are a cousin to the cheetah from Africa they have the spots and strips of the cheetah, they are anywhere from 20 to 40 pounds will be your maximum one, that's going to be a larger male, I had a contract with a couple different zoos one of them being the Columbus Zoo and I also work with Cincinnati, I work with Jack Hanna if you've seen like our biggest thing that everyone knows is if you've seen him when he goes on Letterman, I don't know if you guys saw him in the last episode he brought him in for his last 12 shows and Jack came in with his wife and daughters and they had leopards and they had two baby servals those were actually my two servals they were born on site in February at the facility. We work with Jack for his "In the Wild" programs and also for the zoo's program for children. They have trouble breeding there also on site, same thing public and they've got other things going on so they use facilities like mine to have them, they go to them they work with them they present and show and then once they get older they have the option to keep them or they may return back to me to be placed in another facility or to stay with me. They have also been seen on Rachel Ray, I work with Jerod Miller he does the animal shows on Saturday's you can see he's a funny guy, he's got lots of different things if you guys are familiar with Jerry, he's done different things like the porcupine's that we have. I also, as far as the breeding or procreation part of the sanctuaries is if work with each other with the different species that we have and trade and all that so that we can share because not everybody can have every species and want them. I just had one of our porcupines that we got as a baby we trained it, it's gone to Branson's Wild World they are using it for programs, his name is Chubs and he is doing a fantastic job. We also got a (*inaudible*) there that has gone and had done a lot of things with them. Branson Wild World currently has some of our servals. Facebook and twitter all of that multimedia is one of the biggest things you can see but Doc Ansel if you guys are familiar with the larger one of the biggest, it is the biggest cat out there in the world he does tigers and species for preservation, he is in Myrtle Beach and also in Miami, they currently have one of our serval residences there doing programs and being very successful showing swimming all of that you can see if you look at the links, we also have a site on the webpage if you look on there we have Facebook page so you can see different clips there. The animals are so important with education USDA regulates exactly how the animals are housed there, yes it says they don't have specific size requirements because all the USDA requires is that there for the health for the animal that it can move and have enough area there. We double and triple some of the size for that in their spaces AZA has size requirements also for example AZA requires those serval enclosures is 80 square foot for them, I don't have a serval enclosure that is less than 115 square foot. We have enrichment areas for the animals they

can go to everything is secure, there is to get to the property you have to go through a locked door. I actually have two perimeter fences so when we are talking about this with the eight foot one the entire back property has a six foot perimeter fence, which is USDA and then closer to where the animals enclosures are that are outside there is then a fence, it's been six foot until recently we had other animals and raised them to the eight. We're waiting on; we are planning on bringing a barn in just to be able to store hay and straw and different things out there and have a different set up for the vet when he comes out. And figured out that way the laterals are on the property the way to bring the barn in was going to be a different direction so went ahead put those fences up we didn't want to have a fence in place to just tear it back down to move this barn. We've held off on the barn for the moment with all of this going on just in case we don't want to cause something else to bring in and move around.

**Mr. Ford:** Jennifer explain to the Commission pages 17 to 23 about the fencing.

**Ms. Kasserman:** 17 to 23 has some pictures of it, this is what I have been working with Kipp on is this is the eight foot fence that is up, there are four panels every other panel has an eight foot pulley that goes down into it, Kipp said to do every other one, so we've done that. All of the eight foot tall 4x4's that are in there are based in concrete so they go down to be about 1 ½ to 2 foot with the rain and all that stuff obviously it caused a little bit of a delay in getting some of those to fit everything is in place now. The fence that is six foot and is connected to that the gates so that I can actually drive in there with a mower, I've got 54 inch deck so I can drive in with the vehicle if we have like an emergency plan, if I have to do an evacuation, I've got a large cargo van that needs to go in for it, so the gates need to be wider than the four foot door or the six foot doors that we're walking in that's the ones that are only six foot tall they are eight and ten foot wide so we can open up and be able to pull in. Everything is locked there are padlocks on, we have all of our areas labeled and schematics inside so we've got everyone in interior three any of the enclosures inside also are labeled so if somebodies, if one of the staff's needs to say something instead of knowing what animal is even though the animal's says 1.1 , the animal didn't eat this morning or something so (*inaudible*) and then if we switch animals around onsite we can do it. One thing USDA is very aware of the animal safety and the public safety so and then also my safety and my staff so I don't have, you guys are more than welcome if you come out to see the schematics to look at them, Debbie or Matt had that when they were there but I didn't want to put that on something that is public knowledge because that just gets somebody a path come in and see our security. We've got an extensive security system there's cameras all over they show exits, they show the entrances they also show inside animal enclosure, they show inside some of the houses so if we have an animal that is breeding or hasn't been eating something we can see them at all times. It is also mobile so we can get that myself and of course all have that on our phones we can pull it up anytime and check and see what's going on or if on site and calling and saying what are you looking at and we will be looking at the same thing.

**Mr. Ford:** Explain what page 24 represents.

**Ms. Kasserman:** Alright, 24 represents when things came in question here recently the buffer wasn't something that we had discussed, that's new since Thursday, these are the schematics that come from the aerial view from the County, mine at the top there is the triangle, I know that it speaks in the buffer as far as being too close to the neighbors, we're trying to figure out where the measurements are coming, so the measurement to the neighbor to the east is the top picture and the measurement for the one on the west is bottom picture and both east is over here and this one here is the west. This picture is this aerial view is from 2010 when you pull it up on the website so that is what it is, this enclosure I moved into that property in December of 2010 bought it in October, obviously set up and built somethings and painted everything beforehand, this enclosure was built then it shows that there, so it's actually been there before the large carnivore that came in and before the CUP permit and EDW were added to the County Codes in 2012. Not all of the animals were on site at that time I've been working since prior to moving in I worked with Exotic Animals R Us, that is your first letter after the neighbors page 44 and 45 it's Teresa and Scott Shaffer, they're not actually able to be here today they are in Myrtle Beach working with some of the animals there. I've been doing programs with them they are my mentors basically, I've learned from them doing the libraries, working with set up they are relocating to Myrtle on a different program and stuff outside of the state so then in 2014 I took on Exotic's R Us with my own name and then had my own USDA license for the facility. USDA only allows one license per person per company so they can umbrella others so I was working under them

with theirs at the time then now we are going to Exotic R Us and have them inspect for just me and then a new license is under me so that is why the change there. The research is one of the big things as far as the exemptions to go on; I know the first exemption the County laws talk about is AZA, being AZA credited. AZA is an organization it's also to be a zoo, I am not a public zoo I'm not planning to be a public zoo, I am not going to put in bathrooms and sidewalks and water fountains and have public coming into our neighborhood. I am an AZA member, and then there is also USDA regulates all of AZA to be in AZA you still have to be regulated by the Federal Government, they have to come in and check all your facilities and all of that. I'm also in the Feline Conservation Group, I will skip to page 47 letter from Lynn Culver, my membership services I've been acting on their board for three years as far as that I've been a member for them for seven years. Preservation of the species conservation that is our main point and what we are doing, we're doing a lot things with species survival, I am doing a lot of research projects with those as far as an example and this is going to go to the next one that was before that Brian Davis, research wise we are finding out all kinds of different behaviors with the animals, different traits in them. We've recently discovered that the servals for example there are six servals that we've located in the United States with blue eyes, there are two that we've (*inaudible*) and one in (*inaudible*) we are trying to track and relate and see how things are so we are working on basically it's almost a study to track the leniency and to prevent inbreeding inside the zoos or private owners and keep the; and see what the rarities is in that gene. It's different than in humans when they pass down, Dr. Brian Davis is with the National Institute of Health and has approved this study we send DNA samples and all that and we are trying to do you know learn something about that. They also have some different geno studies that Brian is doing so he has access to all of my warm blooded animals and the foxes are one of the things they are doing, they have actually no specimens of Swift Foxes, there's a few Fennec Foxes specimens they have so they were very eager at the idea to be able to access it, the only other person with the Swift Foxes is in Ohio, Mandy Moore and she only has two of them currently. So two of mine are related from hers the others are not so it's a big deal to be able to get this to try and see and to help with organizations in Canada and all that to try and keep the species going. I do different things with other centers, Cedar Cove is in Lewisburg, Kansas they do deal with large felines they also have some of the small felines Ryan Stef is the Wild Canine Conservation center in Ohio they are, foxes that is their primary thing, he's been working with me as far as the different things with housing and stuff, and enrichment for the foxes and studying to try and see how to be able to have them successfully breed since nobodies been able to and we've got a group to do it. They also are expecting the first one to go to them for that.

**Mr. Ford:** Briefly talk about the difference between what you do and having one of these animals as a pet.

**Ms. Kasserman:** I do not call my animal's pets, so the animals do live in the house the babies and stuff grow up there. They're exotic animals because they are not native species that is what an exotic animal means, it's not from here. They do have different needs but so do different cats and dogs also I believe that but the Canada Lynx for example the white short hare is actually their main diet in the wild so in order to have successful breeding with them, in order for them to have successful I have to bring those in, I have to have specific rabbit diet for them. Servals have a very high calcium intake; they have very long legs that's why they look a little bit bigger than an house cat because they're tall. So we have different supplements, a regular person, and that is why I don't sell to private owners also, they cannot just give them regular Purina or give them regular cat food, these animals are going to get hurt or they are going to have a demeanor that they are not expecting and then just like any other regular domestic animal is going to need to be re-homed but they shelters don't know what to do with them. They get them then they will euthanize or have to then find it and that is why we've got some of these conservation centers and non-profits that have animals that have to go there because there is nowhere else for them to go. There's a couple situations if animals that are recovered some of them that will contact me to come as part of my Class B license as being a transporter, I can actually go and pick up an animal that needs to be, do my permits and I can take it across state lines to get to the facility that it needs to be instead of (*inaudible*), I can also, I'm in the network I work with them and have all of these people at my disposal to be able to ask for help and find placement and get the animal to where it goes. We have a huge network that we work together. It also, it takes a community to raise a family so we've got the... I am not just one I have lots of supporters I cannot do everything that I do without the friends

and the support that I have. I've got to get workers that come out there that care about the animals but they also understand each animal, some animals have different personalities some animals prefer somebody else. You've got one of those for instance that will come out and run over here to somebody and one of them that will just stay in their shell different things like that. I've got security also in place in their bubble that is our main thing the perimeter fence I am going to touch on that for the USDA, my perimeter fences are not meant to keep the animals in that is not their purpose. They are out there the main purpose it goes around my property and on page 24 we went around and showed where that is that is to keep wild animals out, there's coyotes where we are at and it's also to keep people out. Then the next fence that comes in perimeter fence is also the same thing so I've got it, its security to keep others out of the area. The animals if by chance something would happen and they could get out there then it's another barrier but they've got three doors that they are going to have to get through before they can even get to that perimeter fence. I have lock down areas for all of the cages if for example like if Ed had to come out there and something happened and he had to go into one of the enclosures and he doesn't know this animal there are doors that can be locked in the house they've got kennel crates that they know how to kennel up all of the procedures are there on the site as to which animal their preferences what to do and how to do that with them and you lock it and go in and he could feed and clean if he needed to and never actually have contact with that animal, step to the outside and release it. It also works for if one of them is breeding or something and we needed to have access to the mom or access to the babies without her being defensive that we can lock them out and access that safety.

**Mr. Ford:** The largest animal that you own is your dog?

**Ms. Kasserman:** Is my golden retriever Lucy and most of the neighbors here actually know Lucy. She probably knows more of them than I do. Unfortunately if anybody that did not know, Lucy had a she got a tick bite last year and it affected one of her eyes, she is actually been fighting for the last year and so she's gone blind in that eye, she also had to have a knee replacement she is only four years old she likes to run around so if you guys haven't Lucy lately the knee is doing great and she is back and out and about, she is a little bit more mellow now as being held up all winter. My vet, I want to talk about him, he is fantastic, when I first got my first animal I went to him to see if he would be able to, I was recommended actually to him, to see if it was animal that he could work with as being exotic and he said yes. He actually lives in Ballybrook, so you guys know the neighborhood right there, he can be in house within five to ten minutes and he has no problem doing that, he loves the animals, he actually visits a lot more regularly than required that way then also I don't have to take all of the animals to a USDA requires that if you are out (*inaudible*) you have a vet not on site but has to be there within an hour. Dr. Kolich can be there from his home within ten minutes, his office or clinic is on Antioch Road right there at Englewood between Englewood and Vivian so he can be there within 25 to 30 minutes, also his wife is a vet tech and everything and does that so they come out they help me do, we have to do all the immunizations, if there is an accident there is a protocol for and he's been there when I am not there if there is something that needs to attend to sometimes he is just there like I said because he wants to see how the animals are doing. We currently have Lucy has been having some eye trouble the golden retriever so he stops by and checks and see how she doing, instead of me having to stop and load her and take her out. Some of my certifications that I have is, I am a certified teacher for the State of Missouri, I teach in the North Kansas City School District, I've been there for eight years, I teach, I am certified K-12 I teach Elementary Art at Davisson Elementary and also at Meadowbrook Elementary and then I also one of the E Campus teachers for that program so I do the Fine Arts credit for high school students I do Discover the Arts 1 and 2 so it's a graduate requirement and then I am also the only Drive's Ed teacher in the District and it is on-line we don't run cars it's so that they can pass their written test and still have to do their hours with their parents. I also am certified in Animal Husbandry, I am also certified as an Animal Educator through the FCF on my USDA license of course. Not to brag but some people may not know through USDA license to originally get it you have to that is the only time that they ever schedule an appointment and say they are going to come is your first initial visit with them and it's been told by Lynn Culver the Executive Director nobody passes their first inspection. Amanda Owens is my inspector she came out she spent five hours and I passed the first time. It was a big deal they kind of honored it with the SEF all of us, I am going to brag a little bit because I am very proud of how we keep the facility and how my staff and friends and everybody around to support and to make sure all of the animals are cared for.

**Mr. Ford:** Jennifer with that let me conclude her presentation and certainly we are open for questions. One point I would like to make I think we can make a very strong case that Jennifer was grandfathered in under the zoning code but we are here today asking for your permission for this permit.

**Ms. Kasserman:** Also with or the question would be with the research but it's just a...

**Mr. Ford:** Yes there's a question whether we qualify as a research or educational facility too but again we are here requesting the Conditional Use Permit.

**Ms. Kasserman:** Questions?

**Mr. Beggs:** Yes, when the USDA comes out what is their typical inspection look like?

**Ms. Kasserman:** A couple hours so you are not going anywhere or doing anything else, she's going to come out and she is going to walk all through every single animal enclosure, she is going to check them, she is going she needs to see the health of the animal the space that they, she is actually looking to make sure that there is no feces around, there is no sharp points on the cages or anything that they could get hurt. If they have sufficient clean water, that they have food that they have sufficient housing, my houses are insulated and that I also got misters up and we've got shade cloth. In the one picture you can see the bamboo that is on the fences, you can see back there, that is shade barrier because it is hot so they need to have that. She also then is going to check all of the food that is (*inaudible*) she is going to check all of the bins to make sure that is fresh make sure it is healthy. Then there is also animals on (*inaudible*) she has a list of everybody that I have log in she is going to check it to see if anybody that's different or changed, if it has changed then she need the paperwork to see where they've gone. So then I've got the USDA paperwork if they've been sold somewhere or if they lone to a zoo what's going on with it, she also then wants to see the vet has, my vet plan is the USDA's plans so every time that he is out there is documented what it is he's done or if I have taken any animal in and has to be there. She is going to check against that to make sure that the animal's health that she sees something like the golden retriever Lucy is not on the USDA but when she first came out there and Lucy's eye was the way it was she automatically asked about that and I have to have that documentation because that is an animal that is on my property and is double checking that she also is looking at my schedule, she is looking at the feeding logs and goes through to make sure we keep track that everybody's feed every day. If there is a reason that an animal is not marked off that day that's an issue unless there are notes that say this animal is not, right now we've got one of the animals that she's in her end of life plan the vet has set up so we are feeding her twice a day just to see because when she wants to eat she gets fresh greens so that's were we've got that there. She is checking all the caging perimeters, she is going to, I don't know if you've seen "We Bought a Zoo", when he gets out there with his tape measure and measures it, she doesn't have an electric one but she sit there and measures to make sure the fences are there, she checks for security she make sure the tops are there. Each one of my enclosures has a double door so you would have to go into a hallway close the hallway it's got a latch and a lock then you are in a hallway before you even be able to enter one of the enclosures. Also all of those hallways are screened with a top on them so incase an animal did come in the hallway then there's still not a way for them to get out of that. If you check my contingency plans it's a big thing that is there she is going to see if there's flooding which right now we've had some of that and then last night with the storm that was going on I went out there was standing water on the cages that the cat that was in that I moved it to another one directly because it shouldn't be in any standing water. After it drained an hour later when the storm was gone it was fine but still that is one of the things that we do with the animals, safety and their health. She is going to check and make sure she also runs my evacuation plan to see what it is she checks the camera the schematics she wants to be able to know what animal is in which one of the enclosures how they're marked, their name what they've done since there is breeding going on she looks at the breeding plan and the schedule she wants to know if anybody's been together how long they've been together the gustation that is expected and she does ask where is it they are going is there a plan for different ones. She checks the perimeter fence they really check everything there's not allowed to be feces sitting around, there's not allowed to be the scoops in the trash cans in the hallways that stuff has to be setting outside. She checks to make sure we put everything away that there is fresh straw fresh hay pretty much anything and everything she will open drawers and go through your stuff.

**Mr. Beggs:** I am trying to envision this enclosure you said you I am just confused on how this works but you said you go through a gate you close the gate behind you then you open another gate to go into an enclosure.

**Ms. Kasserman:** Correct.

**Mr. Beggs:** But then you said there's tops on everything.

**Ms. Kasserman:** There are tops on everything.

**Mr. Beggs:** But you just said you picked up one cage and moved it out of the way of a puddle. But how does that work?

**Ms. Kasserman:** I'm sorry I didn't pick up the cage I removed the animal, since I do kennels she had that I told her to kennel and I picked up and moved the kennel to another enclosure that did not have any standing water in it that was dry.

**Mr. Beggs:** So this room was an enclosure so you have individual enclosures inside here plus you have a roof on top?

**Ms. Kasserman:** There is a roof correct.

**Mr. Beggs:** So you have a door you come in the main enclosure and then inside the main enclosure which is closed all the way around.

**Ms. Kasserman:** Correct.

**Mr. Beggs:** You have cages that have another gate to go inside and close then you have another gate that you open before you go into where the animals are kept is that correct?

**Ms. Kasserman:** Right if you look on 24 I know it is hard to see it's a small one right there but the square that's there I could draw one for you would that be easier to envision it?

**Mr. Beggs:** Yeah, so is this where you have all of these animals do you have like a main enclosure around everything?

**Ms. Kasserman:** Yes.

**Mr. Beggs:** Tops sides obviously you don't have anything on the bottom.

**Ms. Kasserman:** Actually there are things on the bottom. For example the fox's, foxes dig they burrow so they have to have actual wire that in one underneath and then at all of the edges of all the enclosures for even the cats that aren't going to dig we actually have wire that is down underneath that are attached just in case and actually it's more so that something else isn't digging and coming in from the outside. We've got moles and whatnot that could dig.

**Mr. Beggs:** Okay, so if an animal got out of its enclosure it would be stuck in a hall?

**Ms. Kasserman:** It would be in a hallway.

**Mr. Beggs:** If it got through the next door it would be stuck in another hall I guess that leads to the main door, correct?

**Ms. Kasserman:** Yes.

**Mr. Beggs:** And if it gets out the main door where does it go?

**Ms. Kasserman:** Then it's going to be inside the perimeter fence that is the one that is 90% eight foot.

**Mr. Beggs:** Right but that's not going to be anything for a cat so just like you said it's to keep people out not really to keep them in.

**Ms. Kasserman:** Right so not saying it's another doorway. And you've got to think about these animals are, I mean they have been around people their whole life they are going to be scared, more scared of you than you are of them. In that situation also and they are not looking to run and leave. They enjoy their homes where it is they know where they get fed, they know where they get attention their goal is not to escape and get out and go anywhere. And if by chance, I mean all I have are small animals, I have small felines, I have small animals they are not going to there is no mauling is going to happen nothing dangerous like that. If you look up the website that is Born Free USA they have records of all animal attacks that have been in the United States, that's what they do. You can search to see there's not any death by a small feline there's not any deaths by a Fennec Fox anything like that if you pull that up to be able to see in the United States that's on record since they've been keeping records I think it goes back to 2008. You've also got and you can look also to see about any large (*inaudible*) attacks anything like that in Missouri that is not something that we have had there are no major injuries from small felines.

**Mr. Beggs:** So how many total animals do you have?

**Ms. Kasserman:** It varies depending on...

**Mr. Beggs:** How many do you have today?

**Ms. Kasserman:** I am going to say 36.

**Mr. Beggs:** 36 and what is the largest?

**Ms. Kasserman:** The golden retriever.

**Mr. Beggs:** Well not the dog, the exotics what is the largest you have.

**Ms. Kasserman:** The largest exotic is if you are going to go by weight I would say the lynx.

**Mr. Beggs:** Okay, how big 30-40 pounds?

**Ms. Kasserman:** The female she's about 40 pounds.

**Mr. Beggs:** Fairly substantial.

**Ms. Kasserman:** She is yes, so the servals are I do have a male that his range from 40 to 46. Right now we've got the heat and the animals are not eating as much they're losing all those winter coats and all of that stuff so I mean we've got the range of weight that is going to fluctuate and stuff in the winter time the lynx is going to weigh more because she's got like a triple coat of hair. Same thing with the foxes, my fennec fox is the smallest canine in the world he weighs three and a half pounds maybe. The Geoffrey's cat she's three and a half pounds, she's three years old, the smallest one of the smallest exotic cats in the world, the male is five pounds not very dangerous.

**Mr. Rhodus:** On the recommendations that the staff put together do you have any problems with complying with anything that you don't already have in place on the recommendation?

**Ms. Kasserman:** I don't have a problem with complying; I question the fence of raising it all the way to the eight foot just because there's been six foot the whole time. There's a six foot it's a dual perimeter USDA requires one.

**Mr. Rhodus:** USDA requires (*inaudible*)

**Ms. Kasserman:** Right so I mean an eight foot one when I took on all of this again I had I was lucky to have the ability to have access to buy these eight foot panels. They're actually the green panels that you would see at like a baseball field so they are not silver I just thought they nicer and had those in there. I can raise the fence but I feel that that's more of a just an added expense that's not going to make much difference whether it's at six foot verse eight.

**Mr. Rhodus:** Is the fence part basically the only one you really have trouble everything else you pretty much in place for the recommendations?

**Ms. Kasserman:** Right I don't have a problem with the lighting was that one, I am not sure what that referring to. I know that sometimes working out there with halogens and I have done that we've had rope lighting that's out there we are working with different things the timers and stuff just what we can so it's laminated when we walk out there. I am terrible at turning lights off in the house I hear that from everybody ask my mom and just so that could be something I could switch but we don't have any lights that are directed there so I don't have a problem but since that was brought up I was wondering if that was a concern that hadn't been addressed. If there are substantial complaints from our neighbor than of course I will fix it.

**Mr. Rhodus:** Is the fence something you are capable of you doing or do you feel like you can do it if ...

**Ms. Kasserman:** If that is what needs to be done then we'll do it but I honestly feel that it's unnecessary. Putting up the natural barrier or the trees or the natural screening they are requesting that I don't have a problem there I can talk to Missouri Conservation about having them come out and putting in natural trees wildlife if maybe they can do that if that's what we want to do. I can go in and plant a grove of trees is alright but is that I don't understand what that has to do with the safety of the animals. We've got on Don's side right next to me that one doesn't need it because we've got trees that are just overrun the fence and we've let it and that's what it has become.

**Mr. Rhodus:** I drove by and saw it I had to know what I was looking for to be able to see your facility.

**Ms. Kasserman:** Right and I will say in the winter time obviously with trees there is not as much foliage and everything out there you can see more we have a tar vex screen that's not as festive as bamboo I guess but because it's a wind blocker that's what I have used but it's also not something that is gaudy or bad to look at.

**Mr. Carlson:** We have dealt with at least one other shelter this is similar and as I recall the two main complaints were how were you're going to handle the waste how is it going to be contained this was a very large area too that we were talking about in this case and the other was the fence. The fence was fine but they felt that the fences needed footing to prevent the animals from boring under the fence.

**Ms. Kasserman:** Right all of the enclosures have that so they are not going to be getting through that to begin with so all of the fencing that is around the animals has that perimeter fence again USDA it's

for the safety of the public and also the animals for nobody coming in so it doesn't have it's not very deep down but also we have buried poles that are in concrete not every single one of them is in concrete but all of the main poles are in concrete and I am working with Kipp with that we talked this week and he was out and suggested.

**Mr. Carlson:** They were actually considering concrete footing so the animals couldn't bore..

**Mr. Rhodus:** They were going (*inaudible*)

**Mr. Carlson:** They weren't digging animals they were....

**Ms. Kasserman:** Right and the only thing that I have as animal that is a digger would be the fox but they also their fences have bottoms their enclosures have bottoms so there's no way for them to be able to get out to do that but there is boring as you said with all of the animals enclosures they're in we've got cement blocks there's bricks that are in there the wire that is there.

**Mr. Carlson:** Address the waste.

**Ms. Kasserman:** The waste that we have surprisingly I don't have that much waste I know which one you are talking about with their maximum 250 animals that they were going through that one, I am not going to have that many that's a lot to start taking to libraries and all that so we pick up waste every single day we've got different trash cans that are USDA approved for it, so they've got lids for it so it's secured. Some of the inside waste like rabbit trash stuff like that whenever it does I have Red Gate is my trash service he knows and takes that if I don't have massive amounts of waste as far as that goes and then also my father's property is in the County further north end and they burn it and also use some things for the farmers, manure.

**Mr. Carlson:** Do you use any part of your septic system for this?

**Ms. Kasserman:** I don't not.

**Mr. Carlson:** No, none no drainage nothing.

**Ms. Kasserman:** No I don't have drainage where it goes into the septic.

**Mr. Beggs:** What is the foot print how big of an area are we talking about?

**Ms. Kasserman:** For which ....

**Mr. Beggs:** For just your main enclosures that houses everything.

**Ms. Kasserman:** Well to say houses everything then that houses me and the house.

**Mr. Beggs:** I am talking about the part that ....

**Ms. Kasserman:** If you, what page is that on...

**Mr. Beggs:** Because all of these animals are not in the house with you right?

**Ms. Kasserman:** Some of the animals are housed inside yes; the armadillo is inside we don't let her outside. They also were all any I mean and USDA when she opens the door she comes into the house and she checks all of their enclosures as far as that goes. If I've got kittens that was born or if I have a fox kit that's born on a bottle it's going to be inside I can't have it out there and there are different rooms designated in the house for it. I also have which is not required screens up actual 14 gauge 2x4 wiring on the outside of the windows around the house just it's more of a public safety thing also so if a window broke something isn't going to be getting out. It's page 22 this is one of the schematics that I have at home so I had to take a picture to put it in there was no way to actually scan (*inaudible*) so this where you've got your space I am sorry I have not seen it blown up on this.

**Mr. Beggs:** The animals are housed here?

**Ms. Kasserman:** That is the original housing (*inaudible*) and the other enclosure this is that eight foot fence that goes around so the other enclosures are in this area also so there is also a shed in there. This was sent for Kipp so it didn't have I didn't have to put the concrete and the shed on this.

**Mr. Beggs:** What is that dimension can you give me an idea how big this is, I don't know if that is north or south?

**Ms. Kasserman:** Its north it's what faces the back of the house.

**Mr. Beggs:** How long is that fence up there?

**Ms. Kasserman:** I am going to say 80 to 100 (*inaudible*)

**Mr. Beggs:** I just want to get an idea.

**Ms. Kasserman:** Yeah I am sorry..

**Mr. Beggs:** You have a top over this whole thing?

**Ms. Kasserman:** There is not a top over all of this, this is the perimeter fence this is the second interior perimeter fence.

**Mr. Beggs:** So where the animals are housed where you have the top over the top.

**Ms. Kasserman:** Correct.

**Mr. Beggs:** How big is that area? Where you have three layers of security that they have to go through how big is that area? Just give me an idea, a car or a two car garage? I am just trying to get an idea a scale in size.

**Mr. Tapp:** Jennifer you can correct me if I am wrong I believe the original square on the semantics is about 30x 30.

**Ms. Kasserman:** It's 36x36.

**Mr. Beggs:** This one?

**Mr. Tapp:** Yes that gets a scale.

**Mr. Beggs:** Okay so is that...

**Mr. Tapp:** I have it pulled up on my map to see.

**Mr. Beggs:** Okay so is that the area that has the top on it?

**Ms. Kasserman:** They all it has a top yeah; all of the areas do have tops. You've got there is going to be a shed, there is a shed and then you've got this area that is inside this.

**Mr. Beggs:** Okay.

**Ms. Kasserman:** And this is where animals are in them.

**Mr. Beggs:** Okay and so that inside there has a top.

**Ms. Kasserman:** Yes all of this has tops; anything that an animal is in has a top and then also the hallways around too. But this out here does not and then also these all the exterior parts have footing underneath so there's no way for them to dig out but then this is the perimeter.

**Mr. Beggs:** 100 foot long 50 foot wide is that fair?

**Ms. Kasserman:** You are going to have a 65 foot here on this end.

**Mr. Beggs:** So 65 and 30 wide if you drew it to scale?

**Ms. Kasserman:** Right here is going to be a 30 foot wide this here part is going to be a hallway, there's a hallway in between here there is a hallway here this has a hallway and this has a hallway here.

**Mr. Beggs:** And those are all panels that enclosure is made up of panels and then you've got concrete you've got posts set in concrete that the panels attach to.

**Ms. Kasserman:** I have posts that are going down into the ground they are connected to the fencing and then we have concrete blocks that go around this here. So some of them do have, each one of the corners on anything like this does have a secured post.

**Mr. Beggs:** Where I am coming from I know your taking, it sounds like you are taking very good care of the animals I am concerned about the animals outside your fence, us or your neighbors.

**Ms. Kasserman:** That's us too, I don't want them getting out I don't want them getting hurt either, I don't want neighbors getting hurt I don't want anybody being scared. That's not going to do business animals; it's not going to do preservation to these species any good if we have something like that. You guys are more than welcome to come out, I have these schematics that show directly and give you the dimensions of each of this but it's not something I want public record out there for them and USDA asked me not to disclose that publicly.

**Mr. Tapp:** Mr. Chairman if you look at page 23 of what Mr. Ford gave us it might give you a little more direction, the next page, kind of a zoomed in it looks like that south fence line at the bottom is 140 feet it's what you have.

**Ms. Kasserman:** On the south one yes.

**Mr. Tapp:** So that gives you an idea the scale of the entire south run of fence is 140 feet.

**Mr. Beggs:** But that's the perimeter fence?

**Mr. Tapp:** Right it's the very south perimeter it give you an idea of the scale.

**Ms. Kasserman:** And the animals are...

**Mr. Tapp:** But not the whole entire area is animal enclosures.

**Ms. Kasserman:** Exactly, right and I am saying the animal enclosures are from here you've got 40 foot before you hit a box in the enclosure.

**Mr. Beggs:** That's what I was trying to get thank you.

**Mr. Rhodus:** How long have you been operating your facility there?

**Ms. Kasserman:** I've been there since 2010.

**Mr. Rhodus:** Have you had any incidences where you had any problems with anything significant?

**Ms. Kasserman:** I have not had any incidences, the golden retriever but I didn't realize that actually she was the neighborhood socialite and it was okay.

**Mr. Tapp:** A point of clarification Commissioners Mr. Ford had brought up a question of grandfathering and actually an ordinance back in 2001 when first established exotic/dangerous/wild pretty much exactly as it is today so it goes back to 2001 since we've had the EDW code so there is no grandfather in, she started in 2010.

**Ms. Kasserman:** Okay that wasn't something that we'd been, when one of the letters that is in there is from my realtor and I searched for two years to where it was I was going to move to be able to house the animals with me so that's just one of the areas that we had checked and the animals that had were not on the list. Which the list it is that you guys have is the monkey, the (*inaudible*), the Fennec Fox, the Swift Fox, the Canada Lynx and the Armadillo so I guess that is where one of our things with that.

**Mr. Tapp:** The other item I believe that you brought up was the exemption clause which there are exemptions in our EDW but they mainly point towards formal zoo facilities such as Swope Park and also...

**Ms. Kasserman:** That is the AZA facility.

**Mr. Tapp:** Right that's the first one, the circus which doesn't apply here, I can go on down the list but in speaking with Tim Flook our Legal Counsel, he advised that Ms. Kasserman does not fall in any of the exemptions as stated in our code. It all points towards more of a formal educational institution such as a high school/college, credited high school/college off site.

**Ms. Kasserman:** I do go to high schools, I do go to colleges, we do Boy Scout and Girl Scout things we work with them if they are trying to earn their badges and things with different animals we are doing educational things and working with them with different programs. One of the teachers Rachel who is here she is a sixth grade teacher that takes the animals in there and does stuff actually to her curriculum it's part of her school year and has the animals there for it, so I know it's not a straight definition of what makes you a educational instituted. Research laboratory, USDA requires only one license per person, one type of license that's why I am a B so it covers all of it. That's where I'd be, collect the DNA and send it to the National Institute of Health so that Brian can take and study different things with the genome that we've got. As far as the AZA, one on there it's for a public and I am not planning on putting a public zoo in the neighborhood or in my home. AZA is required if you are a AZA member you have to be USDA certified and USDA comes out and inspects and checks all of that. There is a house bill that just passed in North Carolina lots of things have been going on with the exotics that they are doing, it was an exotic animals were a big part of the bill, they've been working for that they have added to the bill now and instead of it just saying AZA zoos they also added USDA accredited facilities and AZA's, so a lot of its new in different places and stuff and so the interpretations are being developed and more specified.

**Mr. Beggs:** Any other questions? I think what I would like to do is to take a short recess to take a look at all this information that kind of has been dumped on us here just to kind of go through it and see what we've got. We got several letters as well as what Mr. Ford brought.

**Mr. Flook:** Mr. Chairman I want to say the conversation I had with Mr. Ford was that they're certainly free to invite or even request a site visit to view the animals that it would be up to you if you wanted to do that you can always schedule a site visit meeting if you so feel as a Commission to go out and personally view the animals.

**Ms. Kasserman:** And if you are interested in one of the programs.

**Mr. Flook:** Just a suggestion for tonight in order so that you have what you need to make a decision you may want to make sure you take the opportunity tonight to ask any questions you might have about insurance, what the animals eat, (*inaudible*) that kind of thing. It looks like they have a lot of people out here tonight so and if you decide on a site visit we may end up a couple weeks out before the decision is made and I want to make sure you had all your bases covered so that you could do that in a clean way and not put off a decision any longer than you have to.

**Mr. Beggs:** Okay, appreciate that.

**Ms. Kasserman:** We brought quite a few neighbors here tonight and I encourage you to ask them any questions or have them come up to speak and there are some other facility representatives.

**Mr. Beggs:** I figure after we look at this we are going to have more questions.

**Mr. Flook:** Sorry if you want to take like a five minute break.

**Mr. Beggs:** Yes let's just take a five minute recess and then we will adjourn back here at a quarter after.

**Mr. Beggs:** I would like to call our meeting back to order. Are there any other questions or comments that the Commission had for Ms. Kasserman? What we are going to do is I am going to take public comments if you have written us a letter we will enter that as evidence and you don't have to get up and restate what you have already stated just for a matter of time I would like to give everybody a chance to speak that want's to speak that obviously we have a lot of people here and we can't let you speak for an hour so I would like you to keep your comments brief to the point, I would like to keep them to three minutes and under that said is there anyone that would like to make a comment? Please state your name and address.

**Mr. Ayers:** Greg Ayers, 8006 Windsor Drive, I live directly behind Ms. Kasserman.

**Mr. Beggs:** What was your name again, I am sorry.

**Mr. Ayers:** Ayers, A-Y-E-R-S. A couple months ago I brought before these zoning director this problem of these animals back there and upon Kipp coming out got this whole process started, but I want to remind you folks this is a residential area there is a declaration of restrictions that was recorded at the Register of Deeds and it points out nuisances, conducting business and the duration of the restrictions. The Article One, the Canadian Lynx could be a nuisance, I have a sheet and I will be happy to give to you from Virginia Department of Ag that talks about Lynx and their behavior characteristics, they are a wild animal, the covenants also restricts conducting business out there I have a couple flyers of Exotic Animals R Us advertising their business so they are operating out of their home. In their business plan they refer to it as a business so they're conducting a business which is restricted by the covenants. After Kipp's inspection he looked at the property and expressed concern to Carol that there was a safety issue and even he would be scared. None of these safety issues that she's talked about tonight, eight foot barrier fences or the perimeter fence were in place two months ago; those have all happen since it was brought before the Zoning Commission. They were up last week putting up the six foot perimeter fence around the existing fence with the plastic ties.

**Mr. Beggs:** I am going to back you up, who did you say came and did the inspection?

**Mr. Ayers:** Kipp.

**Mr. Tapp:** Point of clarification, Kipp Jones is my Building Inspector/Code Enforcement Officer, he typically fields initial code enforcement cases and goes out and inspects. Kipp, K-I-P-P Jones.

**Mr. Ayers:** Because of the information or Freedom of Information Act I can't get anything out of the Missouri Department of Ag Animal Health Inspections but she is supposed to be permitted and they have several statues as far as minimum insurance, she is supposed to register with the Sheriff's Department and local County along with that is your restrictions or your ordinances say and I've talked to the Sheriff and nobody knows anything about this, they are not doing that. Let's see, the USDA did say she had a license but I still couldn't get any information it took too long to get all that. And her license says she's breeding or can breed this is a residential area this is not a farm where animals breed and stuff like that and when you are breeding animals the temperament changes drastically. The other concerns that I have property values, I wouldn't want to buy a house with this behind me, I tried to get some Real Estate values action but these are few are far between all over the country but you can pull up articles and where people have had these behind their houses or around their property and they've had a hard time selling the property, so it is a deterrent to the property's value. What is going to keep her from continuing to have 50, 60, 70 animals on this property and in the covenant it does restrict the number of animals per acre as to residential area and basically it's to cats and dogs and horses nothing about lynx and all these other things, stuff like that. This perimeter fence is very questionable if they were ever to get out they could go over this perimeter fence very easily anybody could push it through their fence over and get in if they wanted to, it's not that securable of fence on that. So here is where I got from the Virginia Department of Health talking about non-human primates and the diseases that they carry, here's one the behavior of lynx, here is a copy of the Declaration of Restrictions that was formed back in '77.

**Mr. Beggs:** I am going to stop you for just for a minute and I am going to talk to Legal Counsel. Covenants and Restrictions are really outside the realm of Planning and Zoning?

**Mr. Flook:** It is..

**Mr. Beggs:** Really a civil matter?

**Mr. Flook:** It could be considered evidence of the character of the neighborhood but your roll is not to enforce those, it's a private covenant.

**Mr. Beggs:** Right.

**Mr. Flook:** You take it as evidence but it's not your roll to enforce the covenant.

**Mr. Beggs:** Got it.

**Mr. Ayers:** But as a homeowner I expected those to be enforced and so this is not a farming community, not a farm, not a zoo this is a residential and there are a lot of concerned neighbors that are not here tonight because they are on vacation.

**Mr. Beggs:** We are going to accept this as evidence but as Legal Counsel's advice as a descriptive character of the neighborhood. The other would be a civil matter for you to pursue.

**Mr. Rhodus:** How long have you lived here?

**Mr. Ayers:** Since 1985.

**Mr. Rhodus:** You just brought this up two weeks ago?

**Mr. Ayers:** This thing has grown over the last couple of years and become more visible, there is a set of Christmas lights or whatever back there and if you read that on the lynx they are more active at night so I assume those lights are to help keep them thinking it's daytime. It's just gotten out of hand and it's time to stop her from growing this thing because I can envision the whole three acres being covered with these exotic animals and stuff like that. It's a safety issue, the kids in the neighborhood and everybody's at risk. Does she have the proper insurance coverage to cover any liability that she might have if those things escape but you can go to the Missouri Department of Animal Health and they talk about exotic animals and stuff like that and these statues that cover them.

**Mr. Beggs:** We'll let you know that part of what we receive tonight is a letter to the Sheriff so they were notified by (*inaudible*)

**Mr. Ayers:** I guess the question I have for you is how many of those letters are from actual residence of Carrie Hills.

**Mr. Beggs:** We will look at that.

**Mr. Ayers:** Because there was a lot she was throwing around that live far away it's not at their backdoor.

**Mr. Beggs:** We understand that.

**Mr. Ayers:** Okay.

**Mr. Beggs:** Thank you.

**Mr. Ayers:** Thank you.

**Ms. Jacot:** Hi, my name is Della Jacot, I live at 20290 W 232 Terrace, I am in Springfield, Kansas but what I am I work at Cedar Cove Feline Conservatory and Education Center. I do take care of very dangerous animals, very dangerous wild animals such as tigers, lions and leopards, cougars, wolves I know I've been in this business for many years and no animal that Ms. Kasserman has is considered in our book a dangerous wild animal. Your children are safe, they want nothing to do with children and the worst you can get is a scratch. If even that, they will run I would be more worried about my tigers then one of her small animals. I've known Jennifer for about seven years I met her at the Feline Conservation Federation we were doing the animal husbandry class together we also did the exotic educators course and we had to take a test to get our certification, we are also USDA certified now the thing is with us, Jennifer has the USDA class B we only have class C and we handle much larger animals much more dangerous animals than that so yes I understand a neighbor brought out something about from the University of Virginia about Canada Lynx and how wild it can be I would be more afraid of a pit bull than a Canada Lynx, I can guarantee that because I am up against it every day. So we also had (*inaudible*) cats just like Jennifer has except we have a Siberian Lynx, we have (*inaudible*) we have servals, we have a (*inaudible*), we have an Asian Leopard cats, we have one of the most dangerous cats on the planet he is much bigger he's a leopard. So Jennifer's small cats I would not be concerned especially with what she has and about the perimeter fence actually the USDA required that perimeter fence so they couldn't possibly be putting that perimeter fence up when this started it had to be up when the USDA got there. I have same USDA inspector and oh yes we did not pass on our first try we had bigger animals, so that's all have to say about that.

**Mr. Beggs:** Thank you.

**Mr. Reese:** My name is John Reese and if you look at the map there right above you see that yellow line at where her enclosure is if you look right up you see that facility up there you can see my deck, I live close to that facility than anybody else that walks in here besides Jennifer. I live at 7815 Houser Street, I've also brought the Parsons who have lived there 27 years before me I bought it and lived there for the last two years and he is going to tell you the same thing that I would, is that I have absolutely zero problem with what Jennifer's doing over there. I am also from Missouri and I am the kind of person that has to go see and I actually took the time to go over and ask her to see what here facility was over there because I knew this was coming out and I thought why I would get up in front of a bunch of people and talk about something I don't know about and one of the things that you don't know about it if you go over there and spend time there so I did. Everything she told you is true and if you guys would just take time and go out and look at it you will see that it is. If you saw these animals and see her go over to them they come up to her they were more scared of me than I would ever be of them, okay. I would have no problem if one got out because all I have to do is look at it and it would shoot back into the enclosure, I am telling you that's my personal opinion. As far as residential if you could take another shot out this way the land that butts up against me from the east are cattle and I see calves running over there all the time so I think there's kind of a business and they have animals and it's not residential, okay, there's also a horse barn right north of me so if somebody's saying it's just a residential place come out and look and I can prove it that way very quickly because I sat up there and watch the calves play and what we are looking at here, can I point real quick?

**Mr. Beggs:** Sure.

**Mr. Reese:** This beautiful lake here, the house and a building and that guy builds custom cabinets and furniture. They have a road right here and I can see the guys go to work every day they work there. Right above here is the cattle and I see the calves every year when they are born they run around there. Right north of me is a horse ranch and she's here today, right there. So it is a residential if you haven't taken the time to go over and look at her I really don't think you have a leg stand on because I'd be the biggest person to be a pain in the ass if I didn't like something because I don't like it I'll be talking about it. You've got a good person here that is doing a good job, she is saving some very special animals and it would be a shame, honest to God it would be a shame if you guys didn't do something about it. That's all I've got to say. Thank you.

**Ms. Chapman:** Hi, my name is Missy Chapman, I live at 7805 Houser Street and I am to the west. Jennifer actually has invited us over and my girls; at first I really was concerned, and we did have a little incident with some goats that got out but I am guessing they are not listed because they are farm animals, that's my only concerns is that the proper gating is maintained, but other than that I don't know if it was her I think it was one of the people helping her but what happened they got locked out of the back gate and came through the front gate but other than that that's the only problem we've had. We've lived there, we moved in April 5, 2013 and other than that we really have not had a problem. We did hear when we were moving in we heard a lot of building going on sometimes late in the night but we know that's going to be part of it and out in the country that would be part of it too, but she has invited us to go over she's brought some of her animals over to meet the girls but we haven't actually had the chance to go or I haven't had a chance to take them over to check them out but I think we probably will now. It's really we were a little bit concerned about property values like the neighbor behind her but as long as it's worked out and it's part of it I think it's going to be okay but it is one of our concerns and the safety.

**Mr. Beggs:** Okay thank you.

**Ms. Leist:** Hi, my name is Andrea Leist, 7814 Houser, my husband and I we also own a house that behind Ms. Kasserman's on Windsor Drive at 1815 we bought that house a year ago December and I can assure you we moved into our house in February of 1986 we bought this house December 2013 property values with all of her animals have not decreased they have increased because we paid quite a bit more than what we expected to on that house. When John talks about the horse farm that's me I have to tell you that I have had in all the years that we've lived there multiple occasions of people coming up to my property walking down into my pasture and trying to catch, pet, chase my horses and I can tell you I think that as far more dangerous and life threatening than any of the animals that Jennifer has there. The people that we rent the house to on the other property love being able to see it, it looks

like a big dog kennel from their property and they have small children. When Brody moved in he was three years old, he's five now but I can assure you that if they had any doubts or concerns as to their wellbeing they wouldn't have done it and if anything I would be more comfortable with them going into the back area of her property then them going down into the pasture with my horses and I do Purely Natural horsemanship. I spend a lot of time with my horses or have until I messed my back up again, I can ride three of my horses bareback and bridleless. I really do spend a lot of time with them but I still if somebody doesn't know what they are doing with a horse they could get their head kicked in very quickly and one of my horses is a 18 Hand Percheron with size eight feet and I drive him around and around Mr. Hickerson's (*inaudible*) so I've got a friend that's got a mane coon cat that weighs 52 pounds that is bigger than any of the animals she has. We have not complaints, she is a wonderful neighbor and I love the educational opportunity that it provides me as an animal lover to have her living there.

**Ms. Love:** I am Rachel Love, you have one of my letters but I would like to have my daughter an opportunity to address some of the issues because safety seems to be one of your big concerns. I do bring the animals to my classroom, I am a sixth grade science teacher so my whole building curriculum base I do bring these into the classroom, there was a situation last year where a blind student was even able to interact, touch these, if there were any concerns the school district would not allow me to bring these into the classroom. But for one of the concerns she has written a letter so but I would like for her to let you know, to state how she interacts with them at the home itself.

**Ms. Faith Love:** How I interact with the animals is just I don't really think of them as, I mean I think of them a lot as wild animals but I don't think that they will hurt me or anybody else around me. I am really comfortable around the animals and I've gotten really use to be around them.

**Mr. Beggs:** Have you ever had one scratch you?

**Ms. Faith Love:** No.

**Mr. Beggs:** Bite you?

**Ms. Faith Love:** No.

**Mr. Beggs:** Good, thank you.

**Mr. Scholdberg:** My name is Rick Scholdberg, 13018 N Oakland Ave, in Carrie Hills. I really don't have a problem with endangered wild animal's facilities it obvious she knows what she's doing but my problem really is with the residential aspect of it. I have not seen the facility but at the same time who's to say that she won't grow the business and she's explained all the animals that she's had and she currently has but she also said there's some sort of an exchange program or animal swapping or not swapping but you know what I mean where they would have different animals to that affect I think that what she's explained it's clear she knows what she is doing I just don't like the residential aspect of it and also to your point who does enforce the covenants of the neighborhood?

**Mr. Flook:** You would have to consult with a lawyer how you enforce your covenants I am with the Commission, but that is something that you will have to talk to your own counsel with.

**Mr. Scholdberg:** Okay, and my point really is put yourselves in our shoes as the neighbors would you want that next to your house?

**Mr. Beggs:** I am sorry what was your address?

**Mr. Scholdberg:** 13018 N Oakland Ave.

**Mr. Beggs:** So where are you from..

**Mr. Scholdberg:** You go down her street where the cul-de-sac just right there to the north and west so on the way in, yes right in there, thanks.

**Mr. Beggs:** Thank you.

**Mr. Totten:** I am George Totten, 7616 NE Windsor Drive, Kansas City. My concern is it being a residential area when I moved here 26 years ago my property was fenced because the previous owner had a horse and I said that cool I am going to get a cow they said no you cannot have a cow because this isn't agricultural this is residential so couldn't have a cow, okay. I just think there would be a better place to locate a facility like what we are talking about rather than right in a neighborhood. The other thing is Mr. Ayres brought up is insurance, what kind of insurance do you buy to cover the possible damage that could be caused if the inevitable the unthinkable happens? And the only reason I bring that up because just last night we were under a tornado warning for over half an hour, had the tornado struck and this facility was destroyed and the animals were dispersed then what? Is it tornado proof? I am a

big believer in Murphy's Law anything that could go wrong will go wrong I think would cover that scenario. That's all I've got to say.

**Mr. Beggs:** Thank you, I am going to ask Ms. Kasserman to come back up for just a minute. Because we were under a tornado watch last night what did you do?

**Ms. Kasserman:** I was out there through the situation, we've got on the contingency plan, we've got things for warning and for watches like I said the animals are kennel trained while I was out there different ones were closed and locked in case I was going to have to take and evacuate them or also they were in a sealed spot in case something would, say a top blew off that they would not leave that area. As I said the flooding is part of one of the things one of the animals I had moved just quickly because of the standing water there. So that is part of my USDA contingency plan covers flooding, covers tornadoes, ice as far as if there was heavy snow, earthquake is also on there, I've also got like a if there was water contamination that came in from where ever then I've got stock piles of that we cover all things, I don't have hurricane on there because we don't have it but...

**Mr. Beggs:** From the time to start, time to get them all in a cage and in a vehicle how long?

**Ms. Kasserman:** In every emergency situation is going to be a little bit different.

**Mr. Beggs:** Let's say a tornado, if you had to get them all in and in a vehicle or downstairs or somewhere.

**Ms. Kasserman:** If I had to get them all secured and moved without any type extra thing that comes straight out like a practice plan 25 minutes. I would say that is me by myself without somebody else there.

**Mr. Rhodus:** Do you carry a Liability Umbrella?

**Ms. Kasserman:** I do have an insurance, I hadn't thought about it I do have an insurance company e-mail that I can totally present it to you guys but I don't have it with me. Like an umbrella covers me with the transporting also and cars anything that would happen if there were an escape it also covers if somebody comes and they call it the terrorist clause if somebody wants to come in and try and release animals or anything like that it covers all bases of it, it covers me while I am in libraries, in the public and incase an accident happens.

**Mr. Beggs:** Has staff asked for a certificate of insurance?

**Mr. Tapp:** No but that certainly can be added to the condition of approval.

**Ms. Kasserman:** Nobody has asked for that (*inaudible*) I can get you guys that.

**Mr. Beggs:** If you are going to add that as a condition we should probably put limits on what we want to see as part of what coverage goes, so we'll have to discuss that a little bit more.

**Ms. Kasserman:** Real quick I want to point out how many animals, I just want to tell them, when I say it varies, it varies as far as if say a cat had kittens while I was gone there could be two more animals when I got there. I don't have multiples of every animal species it's quite possible or very possible the armadillo is not going to have any babies at any time because there is only one. My goal is not to have so many animals that we build or they cannot be there, when I say we trade them and different things like that, that is part of ones with off springs especially the rare ones because they are going somewhere for it. Also if I've got an animal that let's say for example the monkey if he's getting older and say programs is not his thing then I am going to try and find one that is better and more suited for him that is going to be so maybe he will be better as an exhibit animal at Kansas City Zoo and if that what they want, I've had an older wallaby before that was being more mature I need to get a female for him and I wasn't into breeding wallabies that wasn't my goal at that point so he went down to (*inaudible*) which is outside of Ohio and they did the breeding for the wallabies for the Columbus Zoo. That is the thing as far as animals do rotate and change sometimes they pass a lot of them don't have a long life span.

**Mr. Beggs:** Would you have an objection if we put a limit on the number of animals you have there?

**Ms. Kasserman:** I would like to be able to be part of that number but yes I definitely don't see a problem with that.

**Mr. Beggs:** Any other comments from the public?

**Ms. Scholdberg:** I have one, my name is Kim Scholdberg I am at 13018 N Oakland Ave as well, can anybody tell me if this is granted what prevents them from having a tiger or something bigger more aggressive that is my fear, I've got elementary school child and other one on the way, that is my biggest concerns. I moved into a residential area it seems like these people have been grandfathered have cow or horses or what not but it's not considered rural, it's residential.

**Mr. Beggs:** I will let Director Tapp, do you want to speak to that question limiting on?

**Mr. Tapp:** What the State of Missouri passed a Large Carnivore Act a year or two ago but that is merely a resignation system those are all covered under our exotic/dangerous/wild and would ask that the Commission consider a condition that restricts large carnivore animals from being allowed and that includes lions, tigers, large felines as well as bears. It so hard to say that lions, tigers and bears.

**Mr. Ford:** We have no issue with that, Jennifer is not going to...

**Ms. Kasserman:** Let me speak on the legality part of it because of the Large Carnivore Act that was enacted is actually part of the Animal Welfare Act which is Federal it's not just for the State of Missouri, I cannot have a lion or tiger or a bear I am not grandfathered for that in the state the only way I would be able to do that would be if I went and I opened up a public zoo somewhere, USDA would require all of the facilities for them to be built right now before the animal was even there. I have access to work with people that have baby tigers I could see a baby tiger but I can't even take or bring a baby tiger to my home or take it to an educational program because I do not have the facility that is approved for that tiger as an adult even if I had no plans to keep it as that so that is a Federal USDA mandates that there is absolutely no way that I am going to have a lion, tiger or bear, cougar, leopard, any of that I do not have that.

**Mr. Beggs:** So what is the largest say feline cat that you are currently license under USDA to have?

**Ms. Kasserman:** You would say that the Missouri Mountain Lion would be is actually considered a small feline, they purr that is one of the different things with it but that is a Missouri Conservation thing since they are native and that is not something that I am working with and it doesn't make since with the programs that I am doing, taking something out that large to schools, libraries and things like that, so I would have to have Missouri Conservation would come in and approve that and everything to do it and USDA would have to work together that's the only one I am not going to be able to get a (*inaudible*) or anything like that, there's no room for it that would have been grandfathered with the Large Carnivore Act and I am not.

**Mr. Beggs:** So right now what is the largest feline that you could have?

**Ms. Kasserman:** A lynx.

**Mr. Beggs:** And that is under forty pound animal?

**Ms. Kasserman:** Yes.

**Mr. Beggs:** Thank you.

**Mr. Tapp:** And Chairman just to point out condition number eight the applicant shall comply with and meet all codes and regulations stipulated by any local, state and federal governmental entities having jurisdiction over animal care and/or EDW animal facilities, so.

**Mr. Beggs:** I was curious what does that entailed, what does that mean? Federal codes, state codes?

**Mr. Tapp:** That is a large versus small carnivore I am sure Jennifer can chime in as to what exactly...

**Ms. Kasserman:** It also venomous and poisonous animals as reptiles over eight feet. So if you guys are familiar with Miles Exotic in Kansas City in the River Market had large pythons and different things like that he is grandfathered but only with his licenses that he has there Federal for breeding and those he cannot even sell because of that because he (*inaudible*) and there for about 30 years. So all of that is regulated, they check it and USDA doesn't just go out and follow up on there, they actually have a department that seeks and looks for people that are having animals without being regulated on and checking up and they follow through with that.

**Mr. Beggs:** Thank you.

**Mr. Carlson:** We have predator birds, they are capable of carrying off any of your small animals, do you have any protection against that?

**Ms. Kasserman:** I do, I've got tops on any of the enclosures that have anything that is small out there, like the foxes, definitely they could come and grab them a rabbit something so I've got that in place where they will not be able to do that.

**Ms. Wantland:** I am Vickie Wantland, 13023 N Oakland Ave, I am in the cul-de-sac that dead ends the main street driving into that area. It is a residential area that is my main concern it is a one way in it is one way out, a lot of the neighbors there I couldn't tell you what they do I didn't even know that this existed until she came knocking on my door and presented a card which was about a month ago. I am concerned about small children in the area and I understand the enclosures and stuff the privacy fences and things like that because of some of the work that I do with some, I sell commercial greenhouses and

I have worked with a lot of Henry Doorly Zoo I do a lot of turtle preservation down in the Florida area and stuff so I am familiar with the enclosures and things my worry is my residence and what happens if something were to get out what is the plan of action and to let us know this even happening. I've heard some concern about the waste and disposal, I don't know do any of these animals eat meat, is this something that we are going to have an odor in the area from carcasses or something like that. I mean we have dead animals along the road every once in a while that we have to deal with so those are some of my complaints on it. The lighting I understand because most of us that moved out in the county moved out there so that we could see the stars at night and not have the street lights obscuring the view of the skies you see a lot of wild life that goes through that area I see a lot of, I do see foxes down the road, we see one on regular basis right now down the road. So we know we have foxes I have rabbits in my yard we have a few that come through the area all the time we have dogs that go through the area and I know we heard the coyotes and stuff so I think she has addressed a lot of the things, I am worried about the limitation of quantity or quality of the animals that are there and the up keep, how if this permit is granted is it forever, is it two years only?

**Mr. Beggs:** Two years.

**Ms. Wantland:** Okay and then what happens then does it have to be reapplied for?

**Mr. Tapp:** Yes there is a renewal process which follows this same exact process.

**Ms. Wantland:** Okay so then we would be sent letters again and then any problems that have been going on during this time will be presented to everybody?

**Mr. Tapp:** That is exactly why two years, most CUPs or Conditional Use Permits for cell towers, other types of uses are 15 to 10 years versus a staff is recommending shorter time frame because of that.

**Ms. Wantland:** Okay but I was very appreciative that she came around and introduced herself and explained. I didn't understand that there was really a problem going on but when I got the letter from the County I did, so I think that is all the information I have to give, thank you.

**Mr. Green:** I am Scott Green, I live at 7815 Houser Street, I am going to college for clinical studies and I spend (*inaudible*) so interesting. I live there and work the day to day duties and I actually sleep with the monkey so I haven't gotten any monkey pox thankfully, but any questions I can answer them. I do deal with it day to day. Any questions?

**Mr. Beggs:** No, great thank you.

**Mr. Beggs:** Anyone else?

**Mr. Schlosser:** My name is Raymond Schlosser, 7626 Houser Street, which is basically right across the road. My concern is the numbers of animals, the enclosures whether they are large enough to handle the animals and I know the USDA stands for and what they say, you are still looking at a lot of animals there should be some sort of number limitation, the enclosures are quite concerning.

**Mr. Beggs:** From what perspective?

**Mr. Schlosser:** To the ability for like what was brought up a little bit ago, if anything knocked the cages over what happens? I realize you should have a plan for that but we need to know. Property values, I have that concern I don't know which way it will work I doubt it will increase our property value but I don't know if it would be detrimental to ours property values. We are in a subdivision Carrie Hills North and I realize the horse barn is part of that Carrie Hills North but the cattle farm is not, that's all I got, thanks.

**Mr. Beggs:** Okay thank you, any other comments from the public? What I am going to do is close the floor to public comments so last chance. So Commission any questions concerns discussions?

**Mr. Carlson:** I would like to make a motion that we table this concern or this Conditional Use Permit until the Board has a chance to visit the property and we have had a chance to digest the information that is here.

**Mr. Jackson:** Second.

**Mr. Beggs:** So if we ..

**Mr. Tapp:** Table it to what day?

**Mr. Beggs:** Yes what date that is what I was going, to the next meeting?

**Mr. Tapp:** August 4<sup>th</sup>.

**Mr. Carlson:** The next meeting.

**Mr. Tapp:** I will double check that

**Mr. Beggs:** That's what I have on my calendar.

**Mr. Tapp:** I am pretty sure that is the first Monday.

**Mr. Beggs:** Before we proceed with that, Ms. Kasserman is checking her calendar I want to make sure that, because obviously it sounds like we want to come and take a look at your facility, I just want to make sure that you're able to accommodate us between now.

**Ms. Kasserman:** Yes.

**Mr. Beggs:** We would want to do it a week or two before the 4<sup>th</sup>.

**Mr. Tapp:** August 4<sup>th</sup> is the correct date, Tuesday.

**Mr. Beggs:** So the week of the 20<sup>th</sup> something like that, I guess that question goes to the Commission as well.

**Mr. Tapp:** You could there is two options here one of which is you do your own time you coordinate with Ms. Kasserman on a visit or we can all try to go together and we properly notice the meeting because it will be quorum which is no problem just a 24 hour notice.

**Mr. Beggs:** Okay.

**Mr. Carlson:** I would like to have a meeting time for the Commission.

**Ms. Kasserman:** I know it would be a large group so if it is easier for you not all have the same exact time that coincides so you may be able to meet in the middle of the day more than in the evening for the month of July, just let me know and we can schedule that it doesn't need to be just one I can accommodate more than one visit.

**Mr. Beggs:** Okay.

**Mr. Tapp:** But you prefer small numbers correct Jennifer?

**Ms. Kasserman:** Well smaller numbers will probably be easier for everybody else if you've got more questions instead of talking over each other a smaller group would be better.

**Mr. Beggs:** I just want to make sure it was agreeable before get to far down this road.

**Ms. Kasserman:** I do have programs booked all this month so going everyday so there is also as I said the different Mid-Continent Library programs that are open to the public that you guys are more than welcome that is also to anybody else here that would like to. The programs do fill up they do have waiting lists sometimes at the libraries you have to sign up there if there is one or two of that wants to go, go to the website of Mid-Continent sign up and if they say they've got a waiting list sign up for the waiting list and give me a call and I can make it arranged to where you would be able to come in.

**Mr. Beggs:** Okay, so the motion ...

**Mr. Tapp:** The motion on the floor is to table the Conditional Use Permit to August 4<sup>th</sup> the regular scheduled Planning and Zoning Commission meeting.

**Mr. Jackson:** Second.

**Mr. Beggs:** Vote please.

**Mr. Tapp:** Duane Jackson?

**Mr. Jackson:** Yes.

**Mr. Tapp:** David Rhodus?

**Mr. Rhodus:** Yes.

**Mr. Tapp:** Jim Carlson?

**Mr. Carlson:** Yes.

**Mr. Tapp:** Tom Decker?

**Mr. Decker:** Yes.

**Mr. Tapp:** Chairman Mark Beggs?

**Mr. Beggs:** Yes.

**Mr. Tapp:** The motion carries, tabled to August 4th.

**Final Vote: 5/0/0 Table, July 15-130CUP; Jennifer Kasserman – EDW Conditional Use Permit**

**Mr. Beggs:** So for everyone in the audience this is going to come back after a month and we are going to meet back in here and we will discuss.

**Ms. Kasserman:** On the trading card is my cell phone so is my e-mail address and the other documentation if you would like to get a hold of me. And can I say if any others would like to come by you can give me a call and make an appointment you are welcome to come out and see the animals I have.

**Mr. Beggs:** Okay, everybody here that all the neighbors are welcome to come by contact her to go by and take a look. Any Directors comments tonight?

**Mr. Tapp:** You have the activity report from the current year to previous year to date for you review but nothing else Mr. Chairman.

**Mr. Beggs:** Okay any questions about the activity reports? Any legal counsel comments? Okay.

**Mr. Carlson:** I would like to make a motion that we adjourn.

**Mr. Jackson:** Second.

**Mr. Beggs:** All in favor.

**All:** Aye.

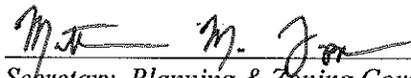
**Mr. Beggs:** Thank you everybody for coming.

**Meeting Adjourned**



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*Chairman, Planning & Zoning Commission*



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*Secretary, Planning & Zoning Commission*



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*Recording Secretary*