

**Meggan Herington, AICP, Executive Director**  
**El Paso County Planning & Community Development**

**O:** 719-520-6300  
MegganHerington@elpasoco.com  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910

**Board of County Commissioners**

Holly Williams, District 1  
Carrie Geitner, District 2  
Stan VanderWerf, District 3  
Longinos Gonzalez, Jr., District 4  
Cami Bremer, District 5

October 20, 2023

RE: Special Use – Major Kennel at 6765 Gun Club Trail  
File: AL239  
PID: 5207003001

This is to inform you that the above referenced request for approval of a Special Use application for a Major Kennel located at 6765 Gun Club Trail was **approved** by the Planning and Community Development Director on October 20th, 2023. Major Kennels in the RR-5 (Rural Residential) zoning district require approval of a Special Use permit as shown in Table 5-1 and detailed in Section 5.2.30.B of the Land Development Code (as Amended). It is the determination and finding of the Planning and Community Development Department (PCD) Director that the application meets the review criteria for approval of a Special Use included in Section 5.3.2 of the El Paso County Land Development Code (as Amended).

This approval is subject to the following conditions and notations:

#### **CONDITIONS OF APPROVAL**

1. Appropriate buffering, to include opaque fencing and landscaping as depicted on the site plan, is required along the front property line extending the length of the outdoor run area, to be installed within 120 days of the approval of this application.
2. Animals shall not be allowed unsupervised outdoor access and must be indoors between the hours of 9pm and 7am.

#### **NOTATIONS**

1. Special Use approval includes conditions of approval and the accompanying site plan and elevation drawings. No substantial expansion, enlargement, intensification, or modification shall be allowed except upon reevaluation and may require a public hearing as specified in the El Paso County Land Development Code.
2. The Board of County Commissioners may consider revocation and/or suspension if zoning regulations and/or special use conditions/standards are being violated, preceded by notice and public hearing.
3. If the Special Use is discontinued or abandoned for two (2) years or longer, the Special Use shall be deemed abandoned and of no further force and effect.

**EL PASO**  **COUNTY**  
COLORADO

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All administrative decisions, such as this one, may be appealed to the Board of County Commissioners within 30 days of the date of the decision. Should you have any questions, please contact Christian Haas, Planner I, at (719) 520-6442.

Sincerely,



Meggan Herington, AICP, Executive Director  
El Paso County Planning and Community Development Department  
File: AI-23-009



# Planning and Community Development Department

2880 International Circle, Colorado Springs, CO 80910  
Phone 719.520.6300 | Fax 719.520.6695 | [www.elpasoco.com](http://www.elpasoco.com)

## Type C Application Form (1-2B)

Please check the applicable application type (Note: each request requires completion of a separate application form):

- Administrative Relief
- Certificate of Designation, Minor
- Site Development Plan, Major
- Site Development Plan, Minor
- CMRS Co-Location Agreement
- Condominium Plat
- Crystal Park Plat
- Early Grading Request associated with a Preliminary Plan
- Maintenance Agreement
- Minor PUD Amendment
- Resubmittal of Application(s) (>3 times)
- Road or Facility Acceptance, Preliminary
- Road or Facility Acceptance, Final
- Townhome Plat

### Administrative Special Use (mark one)

- Extended Family Dwelling
- Temporary Mining or Batch Plant
- Oil and/or Gas Operations
- Rural Home Occupation
- Tower Renewal

Other: bed and breakfast

### Construction Drawing Review and Permits (mark one)

- Approved Construction Drawing Amendment
- Review of Construction Drawings
- Construction Permit
- Major Final Plat
- Minor Subdivision with Improvements
- Site Development Plan, Major
- Site Development Plan, Minor
- Early Grading or Grading
- ESQCP

### Minor Vacations (mark one)

- Vacation of Interior Lot Line(s)
- Utility, Drainage, or Sidewalk Easements
- Sight Visibility
- View Corridor

Other: \_\_\_\_\_

This application form shall be accompanied by all required support materials.

**PROPERTY INFORMATION:** Provide information to identify properties and the proposed development. Attached additional sheets if necessary.

Property Address(es):

6765 Gun Club Trail CS, CO 80908

Tax ID/Parcel Numbers(s)

520700 3001

Parcel size(s) in Acres:

4.82

Existing Land Use/Development:

Single family home  
Residential

Zoning District:

RR-5

- Check this box if **Administrative Relief** is being requested in association with this application and attach a completed Administrative Relief request form.
- Check this box if any **Waivers** are being requested in association with this application for development and attach a completed Waiver request form.

**PROPERTY OWNER INFORMATION:** Indicate the person(s) or organization(s) who own the property proposed for development. Attached additional sheets if there are multiple property owners.

Name (Individual or Organization):

DeMarco Williams

Mailing Address:

6765 Gun Club Trail CS, CO 80908

Daytime Telephone:

417-894-7266

Fax:

Email or Alternative Contact Information:

demarco\_44@yahoo.com

**Description of the request:** (attach additional sheets if necessary):

We are requesting an approval for our land to be used as a 5 bedroom bed and breakfast with the potential to add up to 6 rooms in the future with up to 4 employees.

### For PCD Office Use:

Date:

File:

Rec'd By:

Receipt #:

DSD File #:



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**APPLICANT(S):** Indicate person(s) submitting the application if different than the property owner(s) (attach additional sheets if necessary).

Name (Individual or Organization): <i>Amanda Williams</i>	
Mailing Address: <i>6765 Cuncul Trail CS CO 80908</i>	
Daytime Telephone: <i>417-379-8159</i>	Fax:
Email or Alternative Contact Information: <i>info@frenchiesnaturally.com</i>	

**AUTHORIZED REPRESENTATIVE(S):** Indicate the person(s) authorized to represent the property owner and/or applicants (attach additional sheets if necessary).

Name (Individual or Organization):	
Mailing Address:	
Daytime Telephone:	Fax:
Email or Alternative Contact Information:	

**AUTHORIZATION FOR OWNER'S APPLICANT(S)/REPRESENTATIVE(S):**

An owner signature is not required to process a Type A or B Development Application. An owner's signature may only be executed by the owner or an authorized representative where the application is accompanied by a completed Authority to Represent/Owner's Affidavit naming the person as the owner's agent

**OWNER/APPLICANT AUTHORIZATION:**

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial or revocation. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal may delay review, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval. I verify that I am submitting all of the required materials as part of this application and as appropriate to this project, and I acknowledge that failure to submit all of the necessary materials to allow a complete review and reasonable determination of conformance with the County's rules, regulations and ordinances may result in my application not being accepted or may extend the length of time needed to review the project. I hereby agree to abide by all conditions of any approvals granted by El Paso County. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale. I acknowledge that I understand the implications of use or development restrictions that are a result of subdivision plat notes, deed restrictions, or restrictive covenants. I agree that if a conflict should result from the request I am submitting to El Paso County due to subdivision plat notes, deed restrictions, or restrictive covenants, it will be my responsibility to resolve any conflict. I hereby give permission to El Paso County, and applicable review agencies, to enter on the above described property with or without notice for the purposes of reviewing this development application and enforcing the provisions of the LDC. I agree to at all times maintain proper facilities and safe access for inspection of the property by El Paso County while this application is pending.

Owner (s) Signature: *Oliver Wilho* Date: *12/5/21*

Owner (s) Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant (s) Signature: *[Signature]* Date: *9/21/21*

## Letter of Intent

### **Required:**

#### **Owner/applicant & consultant:**

DeMarco & Amanda Williams  
6765 Gun Club Trail  
Colorado Springs, CO 80908  
719-308-7444  
[info@frenchiesnaturally.com](mailto:info@frenchiesnaturally.com)  
PCD File No. AL239  
Parcel: 5207003001

#### **Site location, size, zoning:**

Location:

Size: Current four car garage to be used (see home floor plan, approximately 1000sq ft) along with current fenced in area.

Current Zoning: RR-5

#### **Request & Justification:**

We are requesting an approval for our land to be used as a major kennel to allow 22 dogs. These will be our own dogs for breeding as for a small breeding practice and allow for our retired breeding dog to retire here as we love them. There will be no boarded dogs on site. We request to be approved to use our current temperature controlled four car garage as it is attached to our home. Having the dogs in a space connected to our home helps us to properly interact with our dog keeping them happy and feeling like a part of our family. Keeping happy dogs helps with noise control as our dogs want to be with us. Our quiet hours will be from 9pm-7am which will be strictly enforced by keeping all dogs inside by closing the doggie doors. We have blocked the fencing with a tarp like material. What they can't see they don't bark at. We plan to build a garage in front of the fenced in dog area for our own vehicles which will further block their visibility of the road to prevent barking. We provide toys and lots of interaction which will keep the dog happy and occupied. As a side note, barking annoys me more than anyone and I take care of it immediately. If we are not home, we do not allow the dogs to be outside on their own. We have a few outdoor sensor lights and solar lights for us to be able to see but not too much in order to prevent light pollution.

#### **Existing & proposed facilities, structures, roads, driveways:**

We are requesting an approval for our land to be used as a major kennel to allow 22 dogs. We request to be approved to use our current temperature controlled four car garage as it is attached to our home. The dogs will also have access to the currently fenced in area via doggie doors. We are unable to meet the 200ft setbacks as indicated in 5.2.30.B.2. We are requesting a waiver as the garage is approximately 50 ft from the property line next to Gun Club Trail and we are taking several steps to mitigate potential impacts. Having the dogs in a space connected to our home helps us to properly interact with our dog keeping them happy and feeling like a part of our family. Keeping

happy dogs helps with noise control as our dogs want to be with us. Utilizing the garage helps us keep our dogs safe as I am able to hear what is going on. We will close doggie doors by 9pm and re-open them at 7am to maintain quiet hours. If we are not home, doggie doors will be closed as well and all pups are located inside. Our garage is well insulated decreasing the sound from carrying. Our fencing has a tarp like material covering the fence so the dogs can't see out as well. What they can't see they don't bark at. We also request this space as our property does not have much usable land for building as we have a ravine and very hilly land. Our garage is also located quite a distance from any of our neighbors where it is placed. We have spoken to our closest three neighbors on Gun Club Trail. Two of the three neighbors have watched our current dogs for us when we are out of town. They love them. The closest neighbors Clark and Diane Brown (450+ feet away) are also close friends and have stated they are supportive of our future pup endeavors (See signed letter from them). The other two houses on Gun Club Trail are over 500+ feet from the location of the outdoor kennel area. The neighbors across Black Forest Rd cannot see and likely cannot hear the dogs due to the location of our house and large hill on the Black Forest Rd (east) side of our property. Our kennel area is located on the west side.

Areas of required landscaping: We currently use xeriscaping to reduce water use and planting local plants to keep with the natural look of the area.

Water and Septic: The current well will be used for water and any septic recommendations will be followed by recommendations of the city and engineer.

Traffic: I expect in the future to have about 10 litters per year. The breed I raise the average litter size is four to five pups. We'd have a total of around 50 pup adoptions. The pups are spoken for before pick-up. As a result, we expect about 50 visitors per year which is around 4 trips per month.

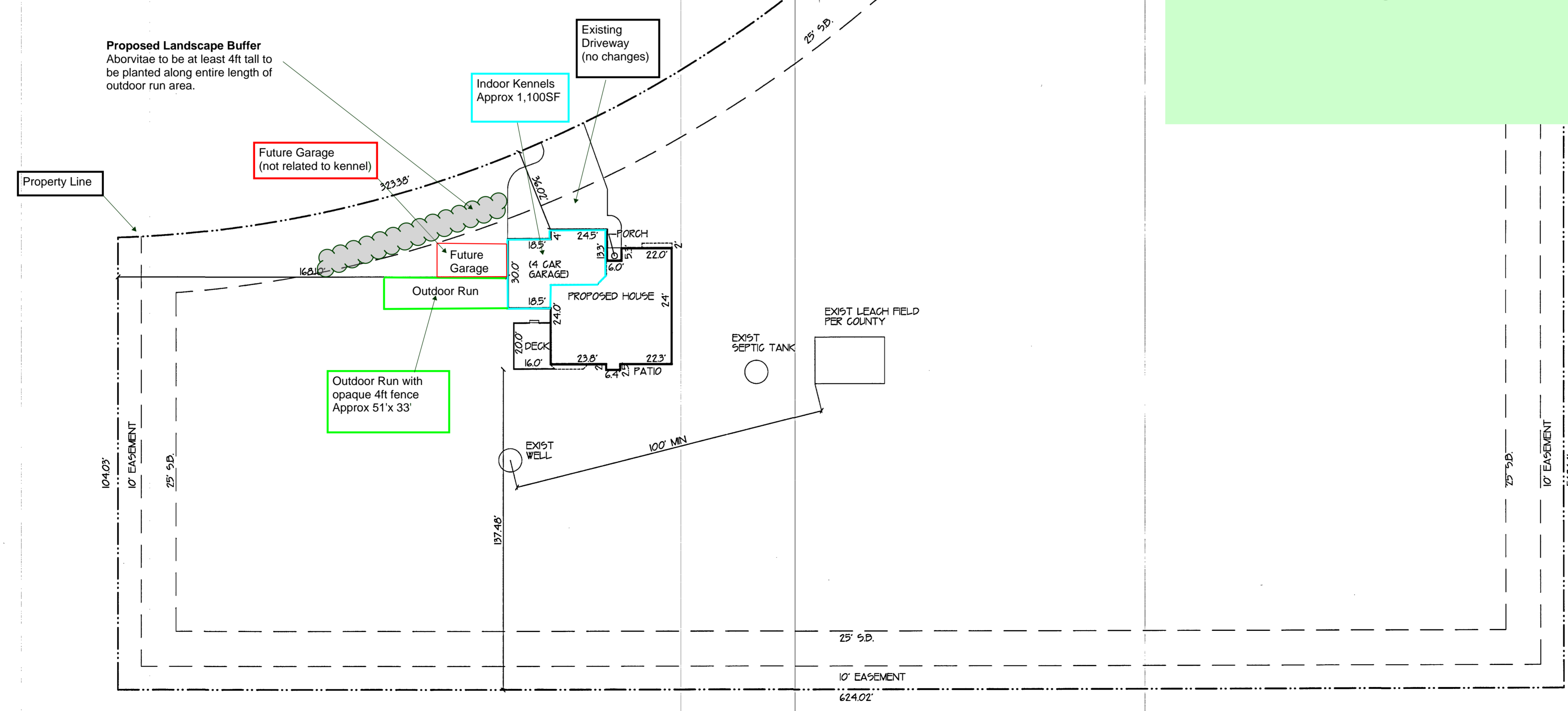
- Please note we have decided against running the bed and breakfast at this time. We realized with increased pricing of building that the return on investment was not sufficient. We would like to have it as an option in the future but are not currently planning on pursuing the bed and breakfast business.

APPROVED  
 BY DATE 8/12/15  
 NOTES  
 EL PASO COUNTY  
 DEVELOPMENT SERVICES

BESQCP APPROVED/DENIED  
 by DA on 8/17/15

Development services approval is contingent upon compliance with all applicable rules on the recorded plat.  
 An access permit must be granted by the Development Services Engineering Division prior to the establishment of any driveway onto a County Road.  
 Diversion of blockage of any driveway is not permitted without the approval of the Development Services Engineering Division.  
 Any approval given by El Paso County does not obviate the need to comply with applicable Federal, State or Local laws and/or regulations.

SFD-15-650  
 ESR-15603  
 AP-15-735  
 Plat 3757  
 zoning RR-5



## Conditions of Approval

1. Appropriate buffering, to include opaque fencing and landscaping as depicted on the site plan, is required along the front property line extending the length of the outdoor run area, to be installed within 120 days of the approval of this application.
2. Animals shall not be allowed unsupervised outdoor access and must be indoors between the hours of 9pm and 7am.

## Road Impact Fees

Road Impact fee for Kennel is OFFICE Rate \$3180/1000sqft (1,100sqft) = \$3,498

Road Impact fees must be paid prior to special use approval. Fees will be paid directly to PCD Dept since no building permit is being obtained from PPRBD.

SITE PLAN  
 SCALE: 1" = 30' 0"  
 LEGAL DESCRIPTION  
 LOT 4, BLOCK 1, RESUBDIVISION OF TRACTS D, E, F AND PORTION OF G IN BLACK FOREST COUNTRY CLUB SUBDIVISION, EL PASO COUNTY, COLORADO AKA: 6765 GUN CLUB TRAIL  
 TAX SCHEDULE NO: 5207003001  
 ZONING: RR-5  
 LOT SIZE: 211,278.2 S.F.  
 PROPOSED BUILDING SIZE: 3752 S.F. (INC. PORCHES, DECK & CANTILEVER'S)  
 PROPOSED LOT COVERAGE: 18%

