

# EL PASO



# COUNTY

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
CRAIG DOSSEY, EXECUTIVE DIRECTOR

**TO:** El Paso County Planning Commission  
Jim Egbert, Chair

**FROM:** Nina Ruiz, PM/Planner II  
Elizabeth Nijkamp, PE Engineering Manager  
Craig Dossey, Executive Director

**RE:** Project File #: AL-17-021  
Project Name: Double D Ranch  
Parcel No.: 6223000123

OWNER:	REPRESENTATIVE:
Deanna Brekke 4590 Arrowhead Drive Colorado Springs, CO 80908	Deanna Brekke 4590 Arrowhead Drive Colorado Springs, CO 80908

**Commissioner District: 1**

Planning Commission Hearing Date:	1/2/2018
Board of County Commissioners Hearing Date	1/23/2018

**EXECUTIVE SUMMARY**

A request by Deanna Brekke for approval of a special use to legalize an existing kennel. The 5.09 acre parcel is zoned RR-5 (Residential Rural) and is located 0.15 miles west of Milam Road and one-half mile north of Old Ranch Road and is within Section 23, Township 12 South, Range 66 West of the 6<sup>th</sup> Principal Meridian. The kennel has been operating in violation since the property was purchased approximately five (5) years ago. A notice of violation was issued on May 12, 2017, and the applicant is now requesting approval of a special use to bring the property into compliance. The property is located within the Black Forest Preservation Plan (1987).



## **A. REQUEST/WAIVERS/AUTHORIZATION**

**Request:** Approval of a special use to legalize an existing kennel.

**Waiver(s):** There are no waivers requested with this application.

**Authorization to Sign:** There are no documents associated with this application that require signing.

## **B. PLANNING COMMISSION SUMMARY**

**Request Heard:**

**Recommendation:**

**Waiver Recommendation:**

**Vote:**

**Vote Rationale:**

**Summary of Hearing:**

**Legal Notice:**

## **C. APPROVAL CRITERIA**

In approving a special use, the following criteria may be considered:

- The special use is generally consistent with the applicable Master Plan;
- The special use will generally be in harmony with the character of the neighborhood, and will generally be compatible with the existing and allowable land uses in the surrounding area;
- The impact of the special use does not overburden or exceed the capacity of public facilities and services, or, in the alternative, the special use application demonstrates that it will provide adequate public facilities in a timely and efficient manner;
- The special use will not create unmitigated traffic congestion or traffic hazards on the surrounding area, and has adequate, legal access;
- The special use will comply with all applicable local, state, and federal laws and regulations regarding air, water, light, or noise pollution;
- The special use will not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County; and/or
- The special use conforms or will conform to all other applicable County rules, regulations or ordinances.

## D. LOCATION

North: RR-5 (Residential Rural)	Residential
South: RR-5 (Residential Rural)	Residential
East: RR-5 (Residential Rural)	Residential
West: RR-5 (Residential Rural)	Residential

## E. BACKGROUND

Zoning was initiated for this portion of the County in 1955 when the property was zoned A-1 (Agricultural). Due to changes in the nomenclature of the El Paso County Land Development Code (2016), the A-1 zoning district was renamed as the RR-5 (Rural Residential) zoning district. Per the applicant's letter of intent, a previous property owner operated a kennel (Perennial Kennels) on the subject parcel in 2004. The Land Development Code (2016) would have required special use approval to operate a kennel in 2004. The kennel was never approved by El Paso County and a notice of violation was never sent to the previous property owner.

The current owner has been operating the kennel since she purchased the property in 2012. After an anonymous complaint was received, a notice of violation was sent to the property owner on May 12, 2017. A special use application to legalize the kennel was submitted on September 5, 2017. Per Section 5.3.2.H of the Code, the Planning and Community Development Director has the discretion to elevate special use applications to the Board of County Commissioners for consideration. Due to the number of adjacent property owners in opposition to the request, the Director made the decision on September 20, 2017 to elevate the request to public hearing. The proposed special use, if approved, would legalize the existing kennel.

## F. ANALYSIS

### 1. Land Development Code Analysis

Section 5.3.2.A states the purpose of a Special Use is:

*The purpose of the special use process is to address potential impacts of certain land uses on existing and allowed uses in the same neighborhood. The special use process considers the location, design, configuration, intensity, density, natural hazards and other relevant factors pertaining to the proposed use.*

The main potential impacts associated with the operation of a kennel are noise, traffic, dogs getting loose, and the visual appearance of a commercial operation. The surrounding neighborhood is residential in nature with an average density of one dwelling per five (5) acres.

The following is an excerpt from the applicant's letter of intent in which they state that noise impacts can be mitigated by utilizing a combination of techniques:

"We have a strictly enforced no barking policy. All owners must sign an agreement that if their dog becomes a nuisance barker, we have permission to use a humane bark collar and/or the dog must be picked up immediately... [all

dogs] are always supervised by a human while outside. None of the boarded dogs ever sleep outside.”

The applicant’s letter of intent also states that traffic impacts will be minimal. The letter states that, “The business rarely has clients or visitors and if so, it is generally one or two visitors at a time...Traffic for our business is no more than 1-6 cars a day, depending on the number of dogs at our facility that day.”

The potential impact of dogs getting loose may be mitigated by the property being fenced, with three-fourths of the property being double fenced. The applicant also states in the letter of intent that they have a policy that “ALL dogs come into our property on leash and leave on leash. There are no exceptions.”

The applicant’s letter of intent states that visual impacts are mitigated due to:

“The [dog run areas being] covered in foliage in the Spring and Fall, which screens the field from the view of the neighbors. In the winter and during the inclement weather, training is primarily done in our heated attached garage.”

With the exception of the large agility field, which is utilized five percent of the time per the applicant’s letter of intent; all kennel operations are limited to the center of the property which is located approximately 200 feet from all property lines.

If the applicant is able to properly mitigate the potential impacts associated with the kennel, then the use could be generally in harmony with the character of the neighborhood, and generally compatible with the existing and allowable land uses in the surrounding area.

## **2. Zoning Compliance**

Per the applicant’s letter of intent, she operates a “dog day care (with limited overnight boarding) and an obedience/agility training facility for not more than ten client dogs at a time.” The Code defines a kennel as:

Any place or premises used in whole or in part for the purpose of keeping, training, boarding, breeding or sale of domesticated dogs or cats in which 5 or more domestic animals exist, and all of which exceed 4 months in age, to include animal pounds and shelters. Establishments where animals are offered for sale as the primary use, such as pet stores, are not classified as kennels.

The special use request complies with the zoning regulations in Chapter 5 of the Code and the RR-5 (Rural Residential) zoning district with the recommended conditions and notations.

## **3. Policy Plan Analysis**

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues, and provides a framework

to tie together the more detailed sub-area elements of the County Master Plan. Relevant policies are as follows:

**Goal 7.1** Reasonably accommodate unique and special uses which provide value to the greater community and which can be made consistent with surrounding uses.

**Policy 7.1.1** Accommodate unique combinations of land uses (such as employment and residential uses) on the same property if it can be demonstrated that aggregate impacts will be limited, adequate facilities and services will be available, and the use will be compatible with the character of the surrounding area

**Policy 7.1.2** Consider the future combined impact of potential additional land use requests when considering individual applications for special or unique land uses.

The property owner runs the kennel out of their home. Per the applicant's letter of intent, "There is a significant need in northern El Paso County for a dog daycare and training facility using positive reinforcement training techniques for obedience and agility... Our main focus is to offer training in obedience, agility, leash walking, rally, beginning nose work, and stay and train as this is a service lacking in the Black Forest and in northern El Paso County." The request is to allow them to kennel up to 10 adult dogs. As discussed above, the applicant is proposing to mitigate potential impacts to adjacent property owners by limiting the outdoor time for the dogs and having a strict "no barking" policy. The lot is heavily vegetated; the trees and shrubbery may aid in dampening the noise and in screening the facility from view of adjoining properties.

#### 4. Small Area Plan Analysis

The property is within the Black Forest Preservation Plan (1987), specifically the Briargate Transition. This area recommends that the rural residential development of five (5) to ten (10) acre lots be continued. Relevant goals and policies are as follows:

**Policy 1.6** Allow "low impact uses" as defined in this Chapter in areas designated for rural residential uses either through the Special Use review process or as part of carefully defined planned unit developments. Variances for low impact uses should be used sparingly and in all cases, approvals should not result in a deviation from the predominantly rural residential character of these areas.

**Goal 3.A** Promote a residential environment, which perpetuates the rural-residential character of the Black Forest Planning Area.

**Policy 4.4** Maintain the scale of new commercial uses so that it is in balance with the existing uses.

**Policy 4.5** Discourage commercial uses if they are incompatible with existing or planned residential development.

Per Policy 1.6, “low impact uses” may be allowed within areas not designated for commercial use. A “low impact use” is defined in the Plan as:

“A use which, due to its low intensity, limited scale and predominately rural character could be incorporated into an area otherwise designated for rural residential uses without significantly altering the character of that area. Consistency is dependent on site characteristics, available buffering, adjacent land uses, and the ability to strictly define the scope of the use through development plan or other appropriate mechanisms. Uses which might meet this criteria include certain private educational institutions, some recreational uses, production and retail sales of certain agriculturally related commodities and certain services of a limited scope and intensity. Specifically not included in this definition are major industrial uses, predominately commercial activities, high density residential camps and any other uses specifically recommended for exclusion from these areas in this Plan.” (Page 72)

The subject parcel is not within an area identified in the Plan as being a potential commercial node or center. As identified in Policy 1.6, consistency is greatly dependent upon buffering and the ability to define the scope of the use. The associated site plan and letter of intent clearly define the scope of the use. The applicant is requesting to legalize a kennel with a maximum of ten (10) dogs.

With the exception of the large agility field, which is utilized five percent of the time per the applicant’s letter of intent; all kennel operations are limited to the center of the property approximately 200 feet from all property lines. The dogs are under constant human supervision other than when they are secured in their indoor kennels at night. All areas where dogs are permitted off leash are fully fenced, and in some instances, double fenced. The kennel has a “no barking” policy so that if a dog begins to bark the dog must either leave the property or have a bark collar put on.

If the Planning Commission and Board of County Commissioners find that the proposed kennel meets the definition of “low impact uses” and that the use can be found to be compatible with the rural residential character of the area, then consistency with the Black Forest Preservation Plan could be found.

## **5. Other Master Plan Elements**

The El Paso County Wildlife Habitat Descriptors (1996) identifies the property as having a low wildlife impact potential.

The Master Plan for Mineral Extraction (1996) does not identify deposits in the area of the subject property. A mineral rights certification was prepared by the applicant indicating that there are no separate mineral rights owners on the real property.

## **G. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

No hazards were identified in the review of the special use request.

### **2. Wildlife**

The El Paso County Wildlife Habitat Descriptors (1996) identifies the property as having a low wildlife impact potential.

### **3. Floodplain**

According to FEMA Flood Insurance Rate Map number 08041CO530F (effective date 03/17/1997), the property lies within Zone X, an area determined to be outside the 500 year floodplain.

### **4. Drainage And Erosion**

No drainage issues were identified during the review of the special use request. The property is located within the Kettle Creek Drainage Basin (FMOO3000) which is studied and has a basin fee. A drainage report was not required since the kennel has no significant drainage impacts. Drainage fees are not required with a special use permit.

### **5. Transportation**

Per the applicant's letter of intent, "Traffic for our business is no more than 1-6 cars a day, depending on the number of dogs at our facility that day." No transportation issues were identified during the review of the special use request. The road impact fee does not apply to this request because the special use is not expected to generate 100 additional daily vehicle trips.

## **H. SERVICES**

### **1. Water**

A finding of water sufficiency is not required for a special use request.

The property is served by a domestic well (Permit Number 6296). Should the request be approved, the applicant will need to seek approval from the State Engineer for the well permit to be used for the kennel.

### **2. Sanitation**

The property is served by an onsite wastewater treatment system (OWTS). El Paso County Public Health had no objection to the proposed special use.

**3. Emergency Services**

Black Forest Fire Protection District provides service to the site. The District was notified of this application and did not provide comments.

**4. Utilities**

Mountain View Electric Association provides electrical service and Black Hills Energy provides natural gas service to the property.

**5. Metropolitan Districts**

The property is not located within a metropolitan district.

**6. Parks/Trails**

There are no planned parks/trails on the subject parcel. No park fees or land dedication in lieu of fees are required for this application.

**7. Schools**

The property is located within Academy School District No. 20. No school fees or land dedication in lieu of fees are required with this application.

**I. APPLICABLE RESOLUTIONS**

Approval            Page 39

Disapproval        Page 40

**J. STATUS OF MAJOR ISSUES**

There are no outstanding major issues.

**K. CONDITIONS AND NOTATIONS**

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in 5.3.2 (Special Use) of the El Paso County Land Development Code (2016), staff recommends the following conditions and notations:

**CONDITIONS**

1. Approval shall be limited to a kennel as described and depicted in the applicant's letter of intent and site plan drawings.
2. There shall be no more than ten (10) dogs onsite in association with the kennel at any time.
3. All animal waste shall be disposed of in a manner that complies with the requirements of El Paso County Public Health.

4. Any subsequent addition or modification to the operation or facility beyond that described in the applicant's letter of intent and as shown on the site plan shall be subject to administrative review, and if it is the opinion of the Planning and Community Development Director that it constitutes a substantial increase, then such addition or modification shall be subject to review and approval by the Board of County Commissioners.
5. The proposed use shall comply with all requirements of this Code and all County, State and federal regulations except those portions varied by this action.
6. The applicant shall provide a copy of a well permit from the State Engineer for the existing use within 120 days of the date of approval. The due date may be administratively extended by the Planning and Community Development Department Director if the Director determines that the applicant is making a good faith effort to obtain the well permit.

#### **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 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.

#### **L. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified seven (7) adjoining property owners on December 14, 2017, for the Planning Commission meeting. Responses will be provided at the hearing.

#### **M. ATTACHMENTS**

Vicinity Map  
Letter of Intent  
Site Plan

# El Paso County Parcel Information

File Name:

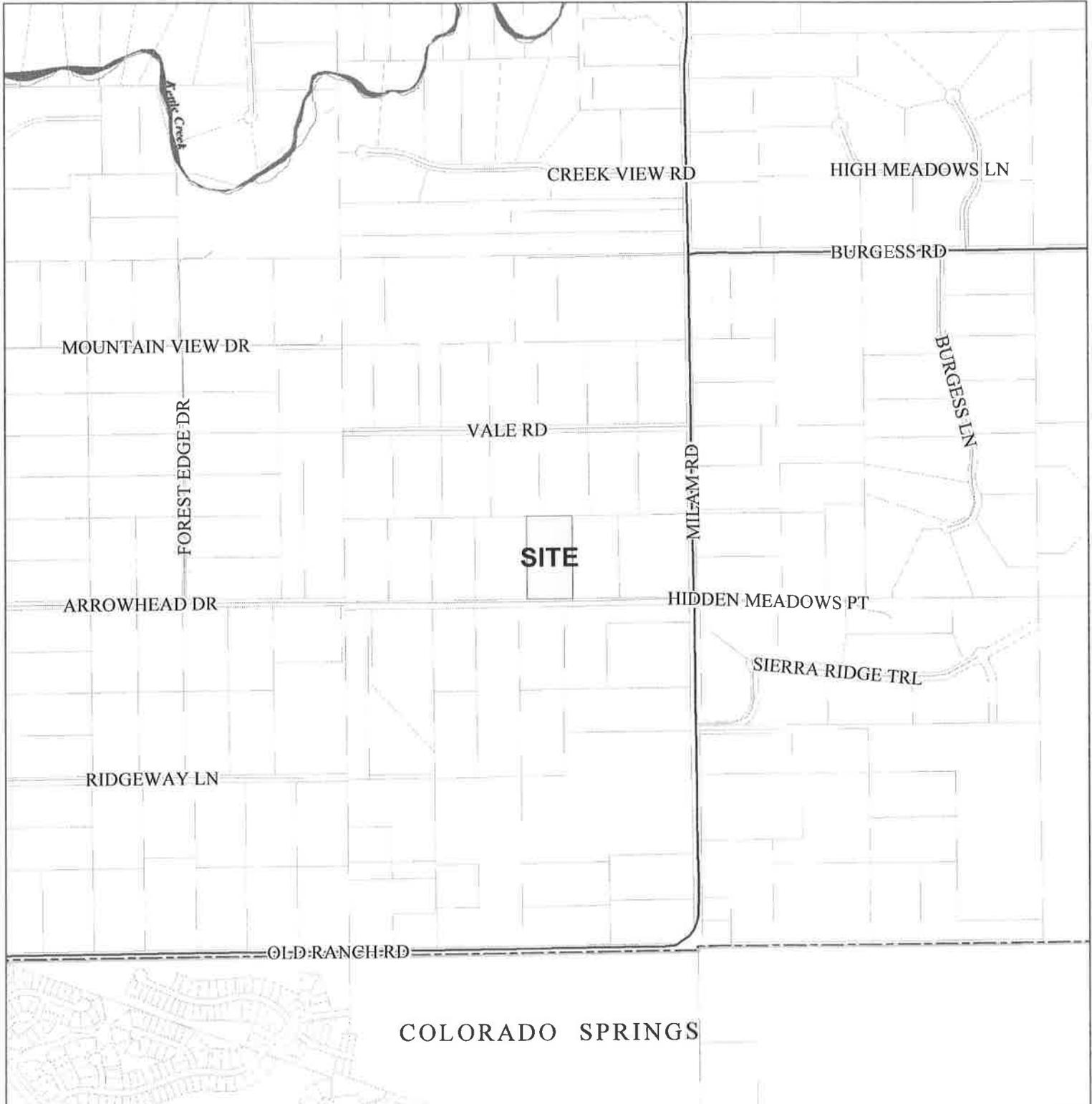
PARCEL	NAME
6223000123	BREKKE DEANNA

Zone Map No.:

ADDRESS	CITY	STATE
4590 ARROWHEAD DR	COLORADO SPRINGS	CO

ZIP	ZIPLUS
80908	3782

Date:



Please report any parcel discrepancies to:  
 El Paso County Assessor  
 1675 W. Garden of the Gods Rd.  
 Colorado Springs, CO 80907  
 (719) 520-6600



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Deanna Brekke and Dodd Johnson  
4590 Arrowhead Drive  
Colorado Springs, CO 80908  
512-506-0807  
512-698-2397

**LETTER OF INTENT**

**Date:** October 23, 2017

**Owner/Applicant:** Deanna Brekke and Dodd Johnson

**Site Information:** LEGAL DESCRIPTION:  
TRACT IN S2S2NE4 SEC 23-12-66 AS FOLS, BEG AT SE COR OF  
SD NE4, TH W 1254 FT ON S LN THEREOF FOR POB, TH  
E 349 FT ON SD LN, N AT R/A 660 FT TO INTSEC N LN OF  
S2S2NE4, W 349 FT ON SD LN, TH S 660 FT TO POB, EX  
S 30.0 FT TO COUNTY FOR RD  
El Paso County, Colorado

4590 Arrowhead Drive, Colorado Springs, CO 80908  
Tax Schedule No. 6223000123  
5.09 acres  
Zoned RR-5

**Request:** Approval of a kennel on the property described above (the "Property") as a special use under Section 5.3.2 of the El Paso County Land Development Code (the "Code"). Table 5-1 of the Code identifies a kennel as a permitted principal use in the RR-5 zone as long as special use approval is obtained. We request special use approval for the Property, which is zoned residential rural, in order for us to continue the use of our Property for dog day care (with limited overnight boarding) and an obedience / agility training facility for not more than ten (10) client dogs at a time. Our facility, known as the Double D Ranch, is licensed by the State of Colorado. A copy of our Pet Animal Care Facilities Act (PACFA) license issued by the State of Colorado Department of Agriculture is attached.

**Justification:** When we bought the Property in 2012, the former owner had owned and operated a dog boarding and breeding kennel on the property since 2004. Known as "Perennial Kennels", the owner offered dog breeding, boarding and grooming for 8-10 dogs at a time. We thought the former owner had all required permits to operate a boarding kennel on the Property. We moved to Colorado Springs in 2012 from Texas, where we were involved in AKC and NADAC Agility and Obedience competitions and training for over 15 years and volunteering with a Golden Retriever rescue.

There is a significant need in northern El Paso County for a dog day care and training facility using positive reinforcement training techniques for obedience and agility as well as when working with our day care and boarded dogs. Our Property allows us to provide close supervision (thus, the small number of dogs under our care), lots of outdoor activities and exercise, and loving care in a homelike, illness-free

environment. Our main focus is to offer training in Obedience, Agility, Leash Walking, Rally, Beginning Nose Work and Stay and Train (where the dogs stay with us and I train them while the owners are gone and then do classes with the owners when they return) as this is a service lacking in the Black Forest and areas in northern El Paso County. We use positive reinforcement only with treats, toys and praise and only slip leashes (no choke chains, collars, prong collars or harnesses) are used for training. Deanna personally shows monthly at AKC and NADAC shows and holds 56 titles with her current dogs and also has agility clients competing in events.

A typical day at the Property is:

7-8 Drop Off/Feeding for Boarding Dogs

8-11 Play/Training

11-1 Nap

1-3 Play/Training

4-5 Wind Down

5-6 Home/Feeding for Boarding Dogs

If boarding overnight - 9 pm potty walk and bed

We operate a very exclusive dog ranch. We do not print our address on our website or other materials. We only allow visits by appointment and after careful screening over the telephone. We have no more than 10 client dogs on the Property at a time (boarding/daycare or training in whatever combination that entails). All dogs must be over 40 pounds. We do not take the following breeds for insurance and our own personal reasons : Pitbulls, Pit mixes, Staffordshire Terriers, Bull Terriers, German Shepherds, Rottweilers, Sharp Peis, Akitas, Huskies, Malamutes, all Sight Hounds, Bull Mastiffs, Cane Corsos, Mountain Dogs and Chows (or mixes of these breeds). All dogs on our Property must be spayed or neutered and be over 7 months old. All dogs must have current vaccinations.

Overnight dogs stay in a room in our house and in a heated attached garage. Both of these areas are part of our home. We do not use any of the outbuildings on the Property for boarding. The only times the dogs are not directly supervised by humans is when they are secured in their kennels for the night. Our bedroom is directly over this part of the house so if a dog had a problem in the night we could check on it.

Dog waste is removed on the Property two to three times a day and our goal has always been to have anyone walk onto our Property and never know a dog was here. The areas of the Property where dogs are allowed is fully and securely fenced with a 4-foot high field fencing on wooden posts and in some areas, with post and rail fencing along with field fence. Three-quarters of the Property is double-fenced, with an interior electric fence around the horse pastures and the big agility field. We regularly walk the fence lines as part of our chores for dog safety . Our Property is mitigated from fire and pests annually and all trees and branches chopped down for fire mitigation are taken to the offsite slash program in the Black Forest.

Our Property has two fields – one big and one small – that are used for Agility training. The big field is used about 5% of the time and only when a dog is undergoing training and is under our direct supervision. The big field is not used for day care or boarded dogs. Training on our Property occurs 95% of the time in the smaller field, which is in the middle of our Property. The fence surrounding the small field is covered in foliage in the Spring and Fall, which screens the field from the view of neighbors. In the winter and during inclement weather, training is primarily done in our heated attached garage.

We have a strictly enforced no barking policy. All owners must sign an agreement that if their dog becomes a nuisance barker, we have permission to use a humane bark collar and/or the dog must be picked up immediately. Due to the rural-residential character of the neighborhood, our other neighbors have dogs outside that bark, so any complaints of incessant barking during the day or night cannot be solely attributed to the dogs under our care, which are always supervised by a human while outside. None of the boarded dogs ever sleep outside.

**Criteria for Approval:** Our request meets all criteria required for special use approval of a kennel, as follows:

**5.3.2 (C) In approving a special use, the following criteria may be considered:**

1. **The special use is generally consistent with the applicable Master Plan.** The use of the Property as a kennel is allowed as a special use under the El Paso County Land Development Code for properties zoned RR-5. The Black Forest Preservation Plan (the “Plan”) is the Small Area plan under the County Master Plan for land use in the Black Forest area, including the Property. The Property’s use as a kennel is consistent with the Plan as follows:

A. **Policy No. 1.6** provides in relevant part: “Allow ‘low impact uses’ as defined in this Chapter in areas designated for rural residential uses ... through the Special Use Review process. Variances for low impact uses should be used sparingly and in all cases approvals should not result in a deviation from the predominantly rural-residential character of these areas.”

“Low impact use” is defined in the Plan as a use which, due to its low intensity, limited scale and predominantly rural character could be incorporated into an area otherwise designated for rural residential uses without significantly altering the character of the area. A low impact use includes certain services of a limited scope and intensity.

The use of the Property for a day care, limited overnight boarding, and a training facility for no more than ten client dogs meets the criteria for a low impact use under the Plan. The character of the neighborhood as rural-residential is not changed by the use of the Property as a dog care and training facility, as most of the business is conducted inside, or in outside enclosed shielded areas while under human supervision. Facilities offering dog day care, boarding and training services are limited in northern El Paso County, including the Black Forest. Our business allows local residents the opportunity to provide their dogs with exercise, training and enrichment rather than be placed in a crate all day while the owners are at work.

B. **Goal 3.A.** states: “Promote a residential environment which perpetuates the rural-residential character of the Black Forest Planning Area.”

The use of the Property for the dog care and training facility will not affect the rural-residential character of the Black Forest and in particular, the neighborhood in which the Property is a part. The principal use of the Property will remain as our private residence.

2. **The special use will generally be in harmony with the character of the neighborhood, and will generally be compatible with the existing and allowable land uses in the area.** The Property’s principal use is as our residence, and it will continue to be upon approval of the special use. While we earn a living operating a dog care and training facility for up to ten dogs at a time, the exterior of our home, horse barn and shop have not been modified for our business. The horse barn and shop are not used for the business. There is no signage or advertising on the Property and we do not intend to install signage. We are very particular about the dogs we accept for our program. Our residential property does not look like a commercial operation and blends in well with adjacent residential properties.

The kennel is secondary to our use of the Property as a rural residence. There is no visual or other essential change in the residential character of the Property. The Property has been used as a dog care and training facility by us since 2012 and by the prior owner since 2004, for a combined total of 13 years. Until we were notified of the need to apply for special use approval for a kennel, we have never been notified of any complaints about our facility. Most of our neighbors have lived in the neighborhood since before we bought the Property in 2012 and were aware of the use of the Property as a kennel for 8 years by the former owner.

There are no detrimental visual impacts arising from the business, which is primarily conducted indoors, or outdoors with human supervision. Any dogs that are exercised outside are supervised to ensure there is no incessant barking or other behavior that might impact neighbors.

3. **The impact of the special use does not overburden or exceed the capacity of public facilities and services.** Our business and clients do not overburden or exceed the capacity of the county roads used to access our Property. See the response to number 4 below.

4. **The special use will not create unmitigated traffic congestion or traffic hazards in the surrounding area, and has adequate, legal access.**

The business rarely has clients or visitors and if so, it is generally one or two visitors at a time. We were not aware of any neighbor complaints about our clients parking on the side of the road to drop off and pick up their dogs until receiving the neighbors’ responses to our special use request from the County. As a result of their complaint, we immediately instructed our clients to drive through our entry gate and drop off their pets at our house. As a result, the neighbors’ concern about obstruction of traffic arising from our clients’ parking along Arrowhead Drive in front of our Property has been alleviated.

Traffic for our business is no more than 1-6 cars a day, depending on the number of dogs at our facility that day. ALL dogs come into our property on leash and leave on leash. There are no exceptions.

Here is a snapshot of the two weeks of total traffic flow to our Property at the end of September, 2017, in a one- hour period (7-8 AM) for drop-offs, and pick-ups (5-6 PM) in a one hour time frame:

- M – 2 cars
- Tu – 3 cars
- W – 4 cars
- Th – 4 cars
- F – 2 cars
- Sa – 1 car
- Su – 0 cars
- M – 2 cars
- Tu – 3 cars
- W – 4 cars
- Th -3 cars
- F – 2 cars
- Sa – 0 cars
- Su – 0 cars

Arrowhead Drive is used by Pine Creek High School students and others as a shortcut, which provides a significantly higher amount of traffic than our clients dropping off and picking up their dogs.

**5. The special use will comply with all applicable local, state and federal laws and regulations regarding air, water, light or noise pollution.**

The business does not create odors, noise, smoke or other noxious activities inside or outside of the Property. We pick up dog waste on the Property 2-3 times per day and dispose of it in the garbage, which is picked up weekly. There are no hazardous, explosive or highly flammable substances used or waste products produced by the business. We have never received any complaints from government authorities (or directly from our neighbors) about barking dogs, excessive noise, nuisances or excessive lighting. We understand that a neighbor complained to the County about the business not being in compliance with the County Land Development Code, which triggered this application for special use. No neighbor has ever contacted us directly about a complaint about our business, including issues related to noise, odors, traffic or lighting.

**6. The special use will not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County.**

The business does not create odors, noise, smoke or other noxious activities inside or outside of the Property. There are no hazardous, explosive or highly flammable substances used or waste products produced by the business.

**7. The special use conforms to all other applicable County rules, regulations or ordinances.**

The facility is conducted in compliance with all applicable laws, codes and regulations. We have a PACFA license issued by the State of Colorado. The PACFA Program is a licensing and inspection program

dedicated to protecting the health and well-being of animals in pet care facilities throughout Colorado. It requires a visit to the Property and passing an inspection of the facility by the State before the license is issued. The license must be renewed annually. Complaints related to a facility are promptly investigated by the State agency and penalties can be imposed on the licensee. Our facility has never received a complaint through the State.

We would be happy to answer any questions or provide more information.

Deanna Brekke and Dodd Johnson



**COLORADO**  
Department of Agriculture  
Inspection & Consumer Services Division

This facility is licensed by the

**Pet Animal Care Facilities Act (PACFA)**

Please contact our office with comments or questions

303-869-9146 or [CDA\\_PACFA@state.co.us](mailto:CDA_PACFA@state.co.us)

To learn more about PACFA, to request information, or report a concern  
please visit our website at [www.colorado.gov/aginspection/pacfa](http://www.colorado.gov/aginspection/pacfa).



Picture of our driveway off Arrowhead. We are about 225' from the top of our driveway to the start of the house.



Front view of our property with Arrowhead being at the top of the photos



Picture of the small agility and obedience field



Picture of the large agility/obedience field



Picture of the heated attached garage and kennels (our master bedroom is directly above the garage)



View of dog room to the East from the doorway (this is off the attached garage)



Side view of our house (dog room on the bottom floor and our master right above)



View to the barn and large agility field



The small agility field is very private (foliage spring-fall) and is in the center of the Property behind the house (no-one can see into this field)



Gannon to the East taken from the middle of our driveway off Arrowhead. The corner of their house is approximately 215' from the center of our driveway



Morleys to the East taken from entry of our driveway off Arrowhead. You can't see their house but the beginning corner of their house is about 220' from the center of our driveway.

