

## Nina Ruiz

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**From:** Randy G Morley <randy@rgmorley.com>  
**Sent:** Wednesday, September 13, 2017 1:24 PM  
**To:** Nina Ruiz  
**Subject:** Response to file number AL-17-021  
**Attachments:** Letter to El Paso County.docx

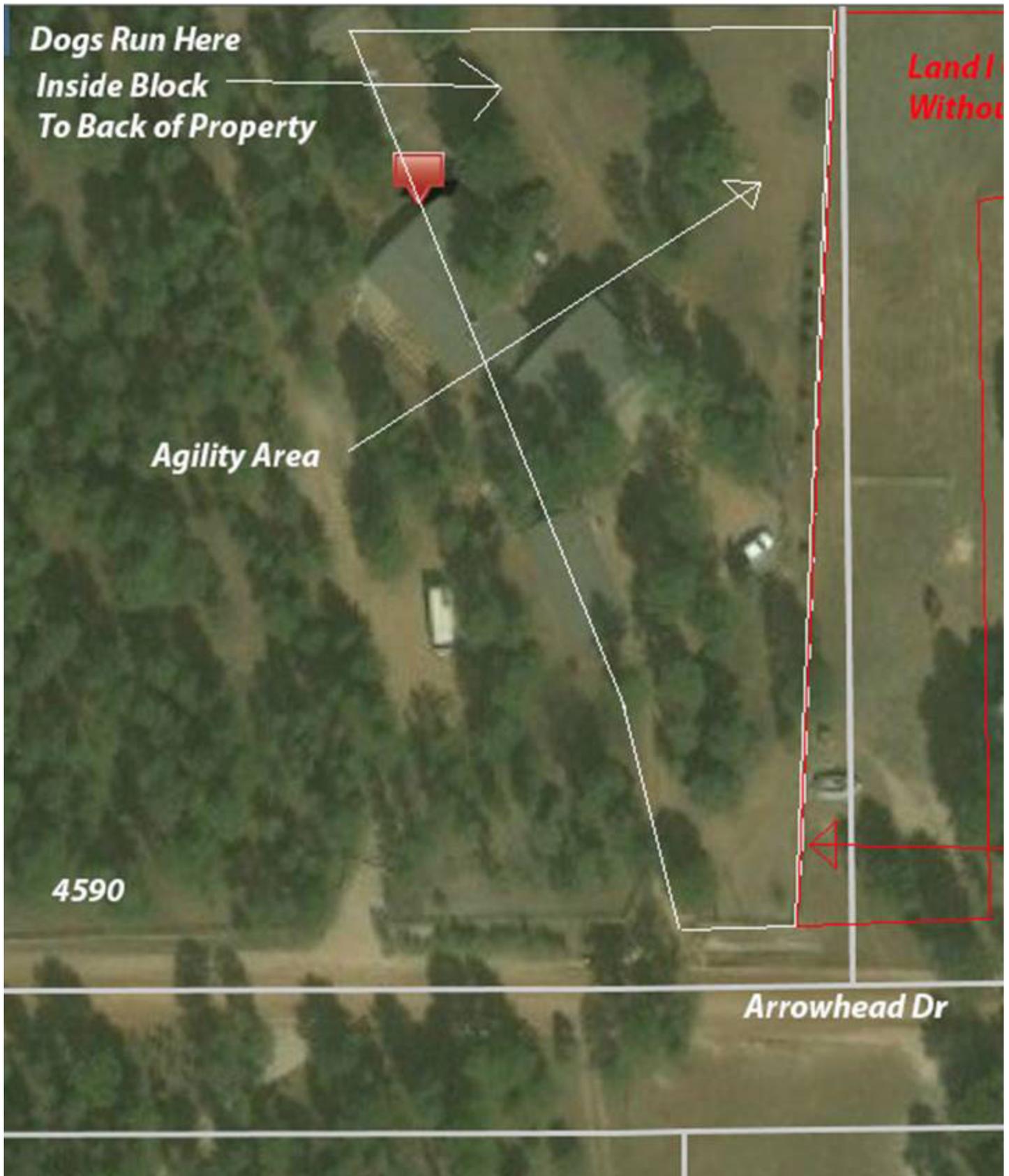
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Hello Nina:

Please find my response attached as it relates to the Administrative Special Use Request for (Johnson Kennel), Parcel ID: 6223000123

This property is directly West of the Property I own at 4590 Arrowhead Dr. And is viewable from my property as there are few trees between our property.



Thank You for your consideration of my objections to this special use being granted.



**Randy and Brenda Morley**  
**The Home Brokers, Inc.**  
**719-599-3888**

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# Randy G Morley



4670 Arrowhead Dr, Colorado Springs, Colo  
80908  
719-599-3888  
Randy@Rgmorley.com

09/13/2017

Re: Administrative Special Use Request for Johnson Kennel  
File: AL-17-021  
Parcel ID: 6223000123

Dear Nina Ruiz,

We moved into our home in 1996. We purchased here because of the location and the tranquility of the Forest. Over the years we have had many neighbors in the property currently applying for the special use request and have gotten along well with all of them.

That being said, the current owners of 4590 Arrowhead Dr started an active boarding kennel that has been operating under the name "Double D Ranch" shortly after moving into the property in 2012. The website can be found here: <https://www.ddranchco.com/> This was done without proper licensing and without consideration of the neighbors. I have not reported it, simply to keep the peace and to respect the desire of everyone in the area to live life on their own terms. That being said:

The operation of this kennel next to my property has been nothing short of obnoxious. We listen to the owner (DODD Johnson) curse and yell at the animals, and he has done the same to mine when my dog got into an area on "MY" property that allowed them to approach the fence, (That I put it years ago). The boarded dogs were biting at mine through the fence and he was screaming at my animals!!?? Telling them to go Home, when they were home. He has made absolutely NO effort to install an internal fence to prevent their animals from charging my fence to prevent the issues caused by his animals but rather expects it to be my responsibility to provide the solution for the problem he has created with the boarding operation they started.

My German Shepherd accompanies me when I am mowing the area that they (My Dogs) are generally kept out of and their dogs continue to bite at mine through the fence when they approach, Rex, my Dog does NOT engage and generally ignores them.



Shortly after they closed and started operation of Double D, I counted upwards of 18 dogs running his property. And while his letter states they would like to be doing "Agility training" I have not once in the time that they have lived there seen them utilize the equipment on their grounds for such a purpose, and I have full view of his property and mine from the back of my house and off my deck, as there are few trees separating the view. I also work from home so it is unlikely that it is being done during my normal working hours.

He states they have a no barking policy, and for the most part the dogs do not make a lot of noise, but there have been times that the animals bark and cause mine to start. There was an instance when they were out of town and the party that was supposed to be watching the dogs was at her boyfriends, the dog barked incessantly until she returned at after 11:00 at night. I keep mine (Dogs) in at night now so that they do not bother my other neighbors.

The operation also increases the traffic on and around Arrowhead as people drop off and pick up their animals during the day. This increases damage to the county road that we all use, dust during dry periods and danger due to the location of his property and cars stopped either in his driveway, hanging out onto the road or parked on the road in front of his property.

I would oppose the licensing on a personal level, as once his license is in place, he will have no more incentive to keep the animals on his property quiet, or cooperate with ANY neighbors as it relates to their own activities or how they affect the residences of the properties surrounding him. Right now, he minds his manners, ONLY because of my ability to report his illegal operation, I have not reported it, solely due to my desire to respect his desire to live life on his terms and to keep peace in the neighborhood, but once this is taken away he will have no more incentive to keep the animals under control at all and has demonstrated in the past a lack of consideration for the rights of anyone else.

On a professional level, (I am a Realtor of 30+ years, owning The Home Brokers, Inc. that was established in 1985). I have served much of that time on the Realtor Services Corporation at the Pikes Peak Association of Realtors in multiple capacities, from Treasurer to Vice President. I was instrumental in the creation of policies that impose fines and enforcements of the policies that govern those who are active with the MLS in keeping integrity at the forefront of Realtor Values and use of the MLS system.

I state this ONLY to demonstrate that My occupation has NOT been a part time hobby, nor has it been simply a job, but has been a calling and a career, devoted to the betterment of the industry and helping people with their real estate needs. This being said:



I have a concern that such a change in zoning will adversely affect the values of the properties surrounding 4590 Arrowhead Dr. When it comes time to sell my property, prospective Purchasers are NOT going to want to live next door to an active kennel, and this special use will run with the land so I am unable to even wait him out to sell as his next buyer will likely want to do the same thing he is wanting to do.

The average Buyer that is interested in Black Forest wants the amenities the forest offers, A Quiet, Undisturbed Lifestyle, Privacy offered by the Tree's in the forest, the ability to live life on one's own terms, providing such terms do not intrude upon the rights of others.

The Kennel will intrude upon all those rights, destroying the peace of the Forest, (Barking and Cursing) Providing visual disturbances, (18 dogs running the property), and my inability to utilize all my own land because their dogs charge the fence.

Thank You for taking the time to consider these arguments and my objections to allowing the property known as 4590 Arrowhead Dr. a special use request.

If they desire to maintain a Boarding Kennel, they need to move to an area with enough land as to not disturb the neighbors and with the proper zoning already in place. Not intrude upon the neighbors to allow them to do something the neighborhood was never designed to support. This is NOT a hardship situation where denying such a special use infringes upon their ability to live, They were aware the property did not support what they wanted to do when they purchased and making this accommodation ONLY affects the rights of quiet enjoyment of the properties that surround them.

Warm regards,  
Randy G Morley  
Broker/Owner  
The Home Brokers, Inc.  
4670 Arrowhead Drive  
Colorado Springs, Colo 80908



## Nina Ruiz

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**From:** Pastor Ken <Pastorbflc@bflchurch.org>  
**Sent:** Wednesday, September 13, 2017 6:20 PM  
**To:** Nina Ruiz  
**Subject:** 4590 Arrowhead

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Nina, I have reviewed the documents requesting a special use for 4590 Arrowhead.

For approximately 5 years, the owners have operated a dog boarding and training business on their property. Since I do a fair amount of professional work from my back yard, (planning, writing, phone calls) I am well aware of the noise and distraction a dog business can have.

We moved here for the peace and quiet of this area. We would like to return to that peace and quiet.

Therefore I am opposed to this request.

Pastor Ken Hohag, 4575 Vale

## Nina Ruiz

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**From:** Ed Gannon <ed.gannon1@gmail.com>  
**Sent:** Sunday, September 17, 2017 8:22 PM  
**To:** Nina Ruiz  
**Subject:** Letter of opposition for Special Use File: AL-17-021

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Edward A. Gannon  
4685 Arrowhead Dr.  
Colorado Springs, CO 80908

Sep 18, 2017

This is a Formal Letter of opposition for the proposed special use for a kennel at Johnson Kennel / DD RANCH  
File: AL-17-021

Parcel ID: 6223000123

Dear Nina Ruiz,

I am a neighbor to the proposed commercial kennel; I live directly across the street. I would like to express my vehement opposition to the proposed special use. A commercial kennel would be completely out of character in this rural residential area. We moved into the Black Forest over 20 years ago seeking peace and quiet. We have been very happy living here. Allowing a change in zoning for this commercial kennel would destroy the wonderful atmosphere and privacy of the forest.

Anyone seeking to purchase a home in the Black Forest would also be looking for the idyllic beauty and peace this area is known for. No one wanting to move into the forest will want to live across the street from a commercial kennel. Our property values will be seriously impacted. I know I would not have bought this house if there was a kennel in such close proximity.

The people at this property have been operating a commercial kennel without licensing or proper zoning. Both the county zoning department and the dept. of agriculture were aware of this. This kennel is providing both boarding and dog daycare for a large number of dogs. They have over 15-20 dogs boarded there on a consistent basis. The special use application states that they intend to provide dog training. In the many years they have been in business, I have never seen them provide any type of dog training. They are exclusively a boarding and day care facility.

There are a large number of cars dropping off and picking up dogs. During the morning and evening hours, this stream of cars is nearly constant, creating a major nuisance and a safety hazard. The large number of cars partially block the road during peak kennel times, which is also the peak time for local residents to leave for work and to return home. When the owners pick up their dog(s), they seldom leash their dogs. The dogs have run into the road in excitement prior to loading into the owner's vehicle. This increases the traffic and safety hazard.

There have been several occasions when there was no one on site while there were many dogs being boarded. During those times, the dogs being boarded barked constantly. Whenever one dog starts barking, they all bark. When the owner, Dodd Johnson, is watching the dogs we hear him curse at the dogs at the top of his lungs. His foul language can be heard throughout the neighborhood. Often, when owners are picking up their dogs, they honk their horns to alert the kennel owners of the pickup. This creates another layer of nuisance.

The kennel owners have been very uncooperative with our requests to please control the boarded dogs. We fear that if they receive their special use permit, they will have no incentive to cooperate at all.

The garage identified in their site drawings, which is a completely separate building from their home, is one of their primary boarding buildings. This separate building houses multiple dogs in addition to the dogs boarded in their home.

We also have a concern that if this special use permit is granted, other requests for additional out of character special use permits may be more likely to be granted.

Please contact me if you have any questions or require any additional information.

Sincerely,

Edward Gannon



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