

Alexander Johnson & Keila Johnson  
18235 MAIN ST. PEYTON ,CO 80831  
719-639-4475  
719-639-4817

## LETTER OF INTENT

Date:

Owner/Applicant: Alexander Johnson & Keila Johnson

Site Information:

### LEGAL DESCRIPTION:

FORMER LOTS 1 TO 16 BLK 7 PEYTON NOW VAC, VAC ALLEY ADJ ON W, VAC MAIN ST ADJ ON N, DENVER ST ADJ ON E, N2 OF SECOND ST ADJ, ALSO A STRIP 90.0 FT WIDE ADJ TO W LN OF PEYTON TOWNSITE AND S OF N LN OF VAC MAIN ST AND N OF N LN OF CO RD SEC 6-12-63

El Paso County, Colorado

18235 MAIN ST. PEYTON ,CO 80831

Tax Schedule No. 32064-07-002

4.14 acres

Zoning A-35, Agricultural District

The A-35 zoning district is a 35 acre district primarily intended to accommodate rural communities and lifestyles, including the conservation of farming, ranching and agricultural resources.

Request: We are requesting administrative relief of the lot size due to the lot not meeting the minimum lot size for a minor kennel (5 acre minimum we are on 4.14). We are asking for this request due to the lot being created prior to subdivision laws. Since the lot was created prior to zoning it has made our goals for the property very difficult. The administrative relief will provide long term relief for the property to be able to move forward with development goals.

Approval of a board and training facility on the property described above (18235 MAIN ST. PEYTON ,CO 80831) 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 board and training facility as a permitted principal use in the A-35 zone less than 5 acres as long as special use approval is obtained. We request special use approval for our board and training facility on the Property, which is zoned as agricultural land, in order for us to

start offering dog boarding and training no more than 8 dogs will be legally allowed to be on the property at a time.

Justification: We bought the Property in 2021 with the intent of starting a dog board and training business. The proposed boarding area will be far enough, well over 100 ft from the nearest property line in all directions. Making noise pollution very minimal. We will be using our field at the front of our property for all training as long as weather permits. The entire training area will be fenced in (upon approval) and as a security measure will also be electrified. Our dogs will not be exposed to the elements, they will rest and sleep in a 8.5x25 ft trailer on that same field. The trailer will be over 100 feet from all property lines and will be heated, have ac, and insulated everything needed to be sure dogs are safe and comfortable.

There is a significant need in El Paso County for a dog boarding and training facility, using emotional training techniques based on the needs of the individual dog for obedience and agility. Some of the training offered for example are listed below. Basic obedience, correcting behavioral issues, leash walking, recall, crate/potty training, distraction training. We do work with military and law enforcement k9s for training in other locations and always have maintained safety and security. We take safety of others as a top concern and we will be fully fencing in the field and electrifying it as well to add extra security. All of our other locations with Hellak9s have been able to do this safely and successfully.

Our Property allows us to provide close supervision (thus, the limited 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 and Stay and Training services lacking in El Paso county, especially Peyton and its surrounding areas.

Overnight dogs will stay in a boarding area in our trailer 8.5x25 which has been insulated and equipped with ac and heat. This area is at the front of the field on the property and is secured at all times. The only times the dogs are not directly supervised by humans is when they are secured in their kennels for the night. Maps can be given upon request.

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 the dogs are permitted are fully and securely fenced in and

electrified for added security. 3 acres of the property is fully fenced in with electrical wire throughout as a deterrent to escape.

Our Property has one fully enclosed 3 acre field that will be used for Agility training and boarding.

Training on our Property occurs 95% of the time in that field as long as weather permits. In the event of inclement weather the barn will be utilized for training.

We do understand all dogs bark and will do everything we can to keep it to a reasonable amount. All owners must agree stating if their dog becomes a nuisance barker, we have permission to use a bark collar. 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 will 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/ board and training facility is allowed as a special use under the El Paso County Land development Code for properties zoned a-35.

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 boarding and training facility for no more than eight dogs meets the criteria for a low impact use under the Plan. Dogs on the property will never be allowed to exceed eight per CO ordinance. The character of the neighborhood as

rural-residential is not changed by the use of the Property as a training facility, as most of the business is conducted outside, or in inside enclosed shielded areas while under human supervision. Facilities offering boarding and training services are limited in El Paso County. Our business allows local residents the opportunity to provide their dogs with training and enrichment and purpose.

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 training facility will not affect the rural-residential character of the Peyton 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.

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, only the interior of the existing barn.

There are no detrimental visual impacts arising from the business, which is primarily conducted 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. Drop off will be at the far end of the property outside of the neighbor's view to avoid eye sores.

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.

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.

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 conducted in compliance with all applicable laws, codes and regulations.

8. This project will not have any adverse impact on the existing stormwater patterns in any way.

9. This project will not be tampering with any of the roadways in any way.

10. This project will not be tampering with the well on the property in any way.

11. The structures on the property such as the house and the barn will not be used for the project. This project will only be using the 8.5x25' portable kennel and the fenced in area in the 3 acre field.

We are dedicated to protecting the health and well-being of our customers' dogs and the neighbors around us.

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

Alexander Johnson 719-639-4475

Keila Johnson 719-639-4817