

Rad Dickson

To: Corina Martin
Subject: RE: Administrative Special Use Request for Mountain Pine Goldens Major Kennel

From: Corina Martin <cmart4life@gmail.com>
Sent: Saturday, January 4, 2020 4:02 PM
To: Rad Dickson <RadDickson@elpasoco.com>
Subject: Administrative Special Use Request for Mountain Pine Goldens Major Kennel

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Good afternoon,

We are writing with some questions and concerns regarding the application of Randall and Bonnie Kidd to receive a special use variance. The biggest concern being that you are labeling it as a "Major Kennel". We are not wanting this breeding facility to grow any larger than it is currently. It is my understanding that a "major kennel" is allowed to have as many dogs as the breeders would like on the property. The number of dogs is already excessive in our opinion. And in the letter of intent that Mr. Kidd writes, he is requesting approval of a "small scale dog breeding kennel". With a "minor kennel", the Kidd's would be allowed to maintain 14 dogs. We feel that number is already at a level that exceeds what the Kidd's can appropriately manage.

Here are a couple of other clarifications/observations that are relevant to the discussion:

- The property line that is to the South of the Kidd's has not changed. Yes, this 20 acre parcel was subdivided, however that was always the property line. Which means that the location of the barn and kennels was never up to required code (200 ft. from property line) not only to the South, but also to the East and West.
- Kidd states that what began as a breeding program of 10 dogs has now become 14. Which we don't believe is necessary or appropriate for the size and scope of the area they have available.
- In researching available breeders on the website of the AKC, we do not see Mountain Pine Goldens listed.
- In researching businesses on the CO Secretary of State website, we do not see Mountain Pine Goldens listed as a recognized business.
- They state in the letter that they are applying for a PACFA license currently. Why did they not have that in the past if they are running a breeding facility? What happens if that does not get approved?
- As far as compliance with regard to applicable local, state and federal laws, despite what is stated in the intent letter regarding the dogs being kenneled at night, they do still bark in the early hours of the morning (typically between 5:30-6:30 am) as well as the night (after 8:00 pm) as well as the very early morning hours (1:30-3:30 am). We can produce video of several mornings where this has occurred. We even have one of someone out there feeding them at 5:30 am. And unfortunately due to the amount of wildlife in the area, they often bark in the middle of the night/very early hours. To such an extent, that we are unable to leave our windows open in the summer and our bedroom is on the opposite side of the house from the kennel.
- Lastly, there is no fence around the property. When the Kidd's do let certain dogs out to run, (which are only a select group), they have little control of their dogs and they often run into our yard. There are 3 primary instances I can cite where (1) the dogs chewed up some of our children's balls, (2) ran up on us, our dogs, another neighbor and their dogs in our yard and we needed to physically separate the dogs from fighting and (3) most frustrating ran across the road into our community when it was being resurfaced and then across our sidewalk leaving dog prints of tar on our cement sidewalk. We can furnish pictures of paw prints.

With all that being addressed, we do respect the fact that the Kidd's were here first. However, had we realized the Kidd's were running a full blown breeding business at their residence, we would not have purchased this property in August of 2018. As such, our concern is what future impact will that have on the resale of our property when we decide to move? There would have been no way of us knowing that they were running a business out of their home at the time, as there was nothing recorded stating a business was being run at their residence.

If this is approved, we will want to understand what the process will be for the following long term impact:

1 - future noise complaints

2 - if the number of dogs exceed allowed amount, which would be irrelevant if they get approval for a "major kennel". Again, we would much rather see a minor kennel allowed if anything.

3 - what will the process be if the dogs continue to come on our property, especially if they attack one of our dogs, or if one of our dogs attacks one of their dogs that is trespassing on our property?

Thanks for your consideration of this matter. If we can answer any questions or you can provide any answers to some of our questions that would be greatly appreciated.

Sincerely,

Scott & Corina Martin
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