

EL PASO COUNTY
COLORADO

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

December 8, 2023

RE: 14150 Herring Rd (Commercial Stables/Minor Kennel)

File: AL2325
PID: 5205101010

This is to inform you that the above referenced request for approval of a Special Use application for a Commercial Stable and Minor Kennel as an accessory use located at 14150 Herring Rd was **approved** by the Planning and Community Development Director on 12/8/2023. 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 condition and notations:

CONDITION OF APPROVAL

1. Approval is limited to the commercial stable and minor kennel, as discussed and depicted in the applicant's letter of intent and site plan drawings.

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.

Pursuant to Colorado Rule of Civil Procedure 106, this decision may be appealed to the El Paso County District Court within 28 days of the date of the decision. Should you have any questions, please contact me at (719) 520-6300.

Steve Schleiker
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El Paso County, CO



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Sincerely,

Approved
For the PCD Director
By: *Justin Kilgus*
PCD Planning Manager
Date: 12/08/2023
El Paso County Planning & Community Development



Meggan Herington, AICP, Executive Director
El Paso County Planning and Community Development Department
File: AL2325

Special Use Permit Letter of Intent

Date: 10/31/2023

Borg Farms and ZRODFX Dog Training

Owners and Responsible Party: Jaclyn Stoerzbach and TJ Vytlacil

Site Information:

Legal Description: LOT 6 WILDWOOD RANCH ESTATES FIL 2

14150 Herring Rd, Colorado Springs, 80908

(P): 309-351-4917

Email: Jaclyn@BorgFarms.com and TJVytlacil@gmail.com

File No.: CE-22-1032

Property Tax Schedule Number/parcel number: 5205101010

14.66 acres

Current Zoning: RR-5 (No overlay zoning)

This letter of intent is to propose the continued use of our 15-acre property as a commercial stable. We purchased this property on July 27, 2022, from the previous owner, Beckie Worthington, who ran a commercial stable, called Longview Equestrian Center, for over 6 years. We have now changed the name to Borg Farms, but are essentially running the same business.

We are also proposing the use of a major kennel permit for this same property. We have 4 personal dogs of our own, and we rehabilitate and train up to 8 client dogs at a time. On average, we only have 4 client dogs at one time.

ZRODFX Dog Training's main focus is 3–6-week "board and trains." We use operant conditioning and behaviorism to rehabilitate dogs and train advanced obedience. All dogs are trained in and stay overnight in our heated attached garage. The only time the dogs are not directly supervised is when they are secured in their kennels. Dog waste is cleaned multiple times a day with full sanitization of all dog runs done daily. All dogs come in with a clean bill of health and full vaccinations.

Our entire property is fenced with 5-foot-high fencing. Because we do not do daily boarding, we do not incur any traffic. We pick up the dogs and drop them off at their homes at the beginning and end of their 3-6 week stay with us. We do have a 0.5 acre fenced in play area for the dogs to exercise, and they are also all treadmill trained to get adequate daily exercise.

We are applying for a special use permit to allow us to reasonably establish our home occupation on large residential property in a manner that protects neighboring properties from extreme or unreasonable impact.

Citing Chapter 5 of the Land Development Code: A rural home occupation **is allowed** as a special use on any parcel or lot that is 5 acres or more and is located in a residential or agricultural zoning district.

When we purchased the property, existing already was a 12 stall stable with 10 different cross fenced pastures equipped for daily horse turn out. We do not use the 12 stall barn for commercial use, but instead only for our own 2 personal horses. We do use the loafing sheds and indoor arena for the business. There are 7 loafing sheds to provide shelter. We have an 80x200 foot indoor riding arena and fenced outdoor riding arena. We have a commercial well which provides water to the entire property. All fences are 5 feet tall.

We currently comply with all the standards listed in the Land Development Code 5.1.30 and 5.1.50. We currently have 22 horses on the property, which is our maximum number of horses. We have 1 part time employee.

We do not generate more than 20 one-way vehicle trips per day. Our average traffic is about 6 outside vehicles per day visiting the property where we have ample parking off the street. We have 1 sign along the driveway that states "5pmh speed limit." We also have 2 signs up that outline the Colorado statute: "WARNING UNDER COLORADO LAW, AN EQUINE PROFESSIONAL IS NOT LIABLE FOR AN INJURY TO OR THE DEATH OF A PARTICIPANT IN EQUINE ACTIVITIES, RESULTING FROM THE INHERANT RISKS OF EQUINE ACTIVITES, PURSUANT TO SECTION 13-21-119, COLORADO REVISED STATUTES."

We are aware of the road impact fees. We have applied for a driveway permit through EDARP.

We maintain all horse corrals, shelters and stable in a clean and orderly manner. We pick up horse manure daily both in the barn and in the pastures. It is disposed of in an acceptable manner by the ECPH. We have one 4 yard dumpster that is serviced on Mondays and Thursdays but GFL (now Republic Services). All manure is taken off of the property. We do not generate any solid waste or hazardous substances or petroleum or excessive noise, vibration, dust, glare, drainage, erosion or other environmental impacts to surrounding lot or parcel owners.

All corrals are located at least 25 feet from the front, 25 feet from the side, and 25 feet from the rear lot, parcel, or tract boundary line. All corrals are situated at least 35 feet from a residential structure on adjoining lots, measured in a straight line from nearest point to nearest point. The stable is located at least 25 feet from the front, 25 feet from the side and 25 feet from the rear lot, parcel or tract boundary line. Our stable is oriented to the interior of the lot. Drainage and erosion control measures are established on the site to protect adjacent properties from runoff. We are not located over onsite wastewater system (OWST).

We are already making changes to decrease our water usage on the property. For example, the indoor riding arena was previously being watered 2-4 times per week for 60 minutes, however we have implemented Magnesium Chloride to maintain all the moisture and minimize watering to only twice per year. At 11 gallons per minute, **the previous owner was using about 102,960 gallons of water per year while we will be using only 1,320 gallons per year to maintain our riding arena. This is 1.2% of the previous usage, or in other words, a 98.8% savings of water each year.**

We are also engaging with our neighbors about pasture revitalization, so we can improve our ground cover and sequester more water in the ground and decrease erosion. We have fertilized, aerated, re-seeded, and rested pastures to have some revitalization. Both changes are in alignment with the Water Master Plan for El Paso County.

We have created a relaxing and welcoming community space for our boarders and are taking extremely good care of the horses boarded here. We are recommended by both equine vets and farriers in the area and have outstanding reviews from our current boarders.

Thank you for your time and consideration during this process.

Sincerely,
Jaclyn Stoerzbach and TJ Vytlačil

