

Kylie Bagley

From: Holly Williams
Sent: Saturday, October 29, 2022 3:07 PM
To: Kevin Mastin
Subject: Fw: File: AL2214 Seglem's Minor Kennel Request
Attachments: Minor Kennel.pdf; Rules-and-Regulations-Parts-I-IV-Amended-February-23-2022.pdf

Commissioner Holly Williams

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From: heritage95@comcast.net <heritage95@comcast.net>
Sent: Saturday, October 29, 2022 2:49 PM
To: Holly Williams <HollyWilliams@elpasoco.com>
Subject: FW: File: AL2214 Seglem's Minor Kennel Request

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Commissioner Williams – I inadvertently sent this to your other e-mail address. Sorry about that. I should only be using your official e-mail.

Regards, John Ottino

From: heritage95@comcast.net <heritage95@comcast.net>
Sent: Saturday, October 29, 2022 2:30 PM
To: 'hollyforcolorado@gmail.com' <hollyforcolorado@gmail.com>
Cc: 'carriegetner@elpasoco.com' <carriegetner@elpasoco.com>; 'stanvanderwerf@elpasoco.com' <stanvanderwerf@elpasoco.com>; 'longinosgonzalezjr@elpasoco.com' <longinosgonzalezjr@elpasoco.com>; 'camibremer@elpasoco.com' <camibremer@elpasoco.com>
Subject: File: AL2214 Seglem's Minor Kennel Request

Commissioner Williams. I am writing to you as my Representative in District 1, with cc copies to other commissioners, to strongly recommend disapproval of subject request. I have reviewed the attached document that was sent to the BOCC for review on 1 Nov. After reviewing the Seglem's e-mails, included in the Minor Kennel request to Kylie Bagley arguing their reasons for wanting approval of the Minor Kennel I feel compelled to point out some extremely exaggerated and misleading information.

1. Page 18: "We have lived here 15 years and although there was never a complaint prior, we understand the necessity of the special use permit in our zone district."
Comment: This is a blatant lie! I was friends with their previous neighbor who moved 3-4 years ago and he was constantly feuding with the Seglem's about their barking dogs. He even went so far as to go out in his yard and blow a fog horn every time they were barking. Although his move was not only because of this issue, he said it

made it much easier to leave the neighborhood and felt sorry for whoever bought his house. "Never a complaint" LIE!!!

2. Page 18: "They (the dogs) all wear bark collars (shockable) and although there is no privacy in our back yard (there is now a public trail available next to our property line and people have their dogs running free at times) our top priority is that our dogs are never a nuisance."

Comment: Use of the "shockable" collars is not entirely honest. I personally walk that trail twice a day and I have seen more often than not the dogs barking incessantly as I walk by. Many times the dogs are not wearing the collars and when they are, either the collars are not working, or not programmed to provide enough stimulus to inhibit barking because they still bark. Their rationale that it is now "a "public" trail available next to our property line..." is hogwash. The only thing that has changed is the fact they fenced in their newly purchased property all the way down to the trail which has been there for years.

3. Pg 18: "When we bought our home, we were assured that the land behind our home would never be developed otherwise we would have never chosen to live here."

Comment: Either they were lied to by their realtor, or this is a lie. That property was privately owned up until a group of residents who live along it (including the Seglem's) raised enough money to purchase it from the owners (the Walters family). It was zoned single family residential and the Walters family placed it on the market about 3 years ago. That's when a task force of residents initiated an effort to buy it and successfully closed on it this year. As a side note, the Walters family did not prohibit residents from using it to walk dogs, mountain bike, jog, etc. So, as noted in comment in para 2 above, their rationale that it is now "a "public" trail available next to our property line..." is hogwash.

4. Pg 18: "Now, no matter how many dogs we have, they are forced to adjust to a constant flow of strangers walking along our back property line and if the strangers choose to let their dogs roam free without leashes, their dogs will approach our fence, which is well inside our property line. Our dogs often react to these intrusions and even though the "walkers" are on or near our property we use the shock collars to train our pets not to bark."

Comment: As noted in my comment in par 2 above, the "trail" has been there for years and residents have used it for years. The only difference is the Seglem's chose to fence their property all the way to the trail (within easement). As I also said in my comments in para 2, I walk that trail twice a day. My dog stays on the trail with me and has never approached the Seglem's dogs near their fence and the dogs "go crazy" barking and running back and forth along the fence line aggressively barking at me and my dog.

5. Pg 18-19: "Relevant past history is that we were not aware there is a limit requirement for dogs and have lived here for 15 years this July. We were also told that the land behind us would never be developed. We have planted bushes that will completely hide the fence in an effort to buffer the human traffic and vice versa as well as mitigate potential impacts."

Comment: I already addressed the issue of thinking the land would never be developed. Either they were lied to by their realtor, or this is a lie. All homeowners in Woodmoor are required to review and agree to all covenants and rules and regulations. Our Rules and Regulations (attached) Para A2 clearly specifies a 4 dog limit (or combination of cats and dogs) which is in compliance with the county ordinance [El Paso County Pet Ordinances | Aunt Kit Pet Nanny](#). Rules and Regulations also address "nuisances" which these barking dogs certainly are. The "bushes planted bushes that will completely hide the fence in an effort to buffer the human traffic and vice versa as well as mitigate potential impacts," is a joke. They currently are 3-5 inches high, if they are still alive, and it will be years before they have any affect in mitigating impacts. All these dogs will be long gone before they do.

Pg 21: The mention of his neighbor (Al Patterson) not moving because of the dogs is true in part. I personally knew the Pattersons and as I mentioned in para 1 above, He even went so far as to go out in his yard and blow a fog horn every time they were barking. Although his move was not only because of this issue, he said it made it much easier to leave the neighborhood and felt sorry for whoever bought his house. "Never a complaint" LIE!!!

Comment: The issue of formal complaints is exacerbating. This issue was discussed at the last HHOA meeting and the board could not give a good rationale as to why there are not documented records of complaints, because there have been many. But what Mark Seglem says, appears to be true. Poor bookkeeping because numerous residents have complained.

6. Pg 22: Talks about the walking trail behind his house being nothing more than "a beat down stretch of weeds." Also once again mentions "planting lilac and cherry bushes around the entire perimeter of their fence to provide a visual block to pour dogs and those on the trail.

Comment: In actuality, in its present form, it is not much more than that i.e., "a beat down stretch of weeds." Now that the HOA accepted this as "open space" from the LLC (group of homeowners who bought it) there are plans to improve it. However, its use now is virtually the same as it was before it became open space. I know...I've been walking it for 11 years. As for the bushes to prevent a visual block, that's a crock. All the dogs will be long gone before these bushes will have any "visual block" effect. This argument is grasping at straws.

7. Pg 23: States he has "reached a point with these abuses of his rights, that he installed surveillance cameras due to abuses of those using trail. Says he has asked the HOA to move the trail an additional 10 feet away from his property towards unfenced properties that lie behind the entire length of his land.

Comment: Maybe he will have some footage of these abuses. I doubt it! The only thing that would be shown if he releases video is the incessant barking and aggressive behavior of his dogs. As for moving the trail 10 feet, that is impossible without putting it on private property of neighbors on the west side of the open space. Whether it is fenced or not makes no difference. The trail was intentionally placed in the middle of what open space there was between neighbors properties. That is the fair thing to do. For him to imply otherwise demonstrates his lack of concern for others.

In closing, I would just like to say that this issue of barking dogs has been an ongoing problem for neighbors for years. It was made worse when the Seglem's chose to fence their property as close to the open space as possible resulting in there dogs being within feet of the trail. It wasn't like they didn't know the trail was going to be that close to there property. In his closing statement, in the e-mail sent to Ms. Bagley on September 6, (pg 23) he says: "I invite you or whomever from the county to come out and see first hand all we have done to ensure the happiness of our dogs as well as the convenience of our neighbors." That would be great....observing one day (without the Seglem's knowing when you were coming) would be the greatest argument ever for disapproval of the "Minor Kennel" request.

Strongly urge the BOCC to disapprove this Minor Kennel request. Should you have any questions regarding this input, or others I have sent to you, please feel free to contact me.

Regards,

John Ottino 719-488-0287