

Kylie Bagley

From: Mark Seglem <mkseglem@gmail.com>
Sent: Thursday, September 8, 2022 9:40 AM
To: af2663@aol.com; Kylie Bagley; Joe Letke
Subject: RE: Our response

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Kylie, I would like to add four points to my wife's email, please. First, I would like your assurance that our emails to you are included in the materials provided to the decision makers in this process. Please confirm for us that this and all other email responses we have provided will be included. Second, several of the statements in the letters from neighbors are not factually accurate or are irrelevant. For example, to state that the Patterson's left because of our dogs simply is not true. Mr. Patterson and Mrs. Patterson stated that they were moving into a much larger and more expensive home in another neighborhood. To claim otherwise is disingenuous. Furthermore, for whatever reason the Patterson's moved is irrelevant to our application. Third, we are not asking for a "kennel" in the sense that some of our neighbors think we are. We were told by the County that a minor kennel request was the only option we had to ensure that we could keep our dogs until the older ones pass and we reduce to the 4 allowed by the County. If approved we would be satisfied if the County wanted to place a five year limit on our permit. Given the age of our some of our dogs, we estimate that we will be down to four within the next five years. Our word is our bond and we do not intend to go above the 4 dog allowance once our older dogs have passed.

Finally, and most importantly, the entire fence issue raised by our neighbors is not relevant. We have applied for a minor kennel in order to keep our dogs. That request has absolutely nothing to do with some of our dogs running along our property line as folks walk by. The dogs that run to our fence line are young and would do so whether we have 4 dogs or 8 dogs. Unfortunately, our neighbors have conflated the issues.

Two other quick notes. We checked the WIA (HOA) complaint log and we found one complaint about our dogs from several years ago. At that time, the HOA came to our property unannounced and found no violation. Lastly, I have a text message on my phone from my neighbor to the south who has led this group against us and it states that since we have placed bark collars on our dogs the barking has essentially ceased and is no longer a problem. Why they continue to harp on our dogs barking, I do not know.

Thanks for your time and please confirm that these emails will be included in the decision package. W/R, Mark Seglem.

Sent from [Mail](#) for Windows

From: af2663@aol.com
Sent: Wednesday, September 7, 2022 9:53 PM
Subject: Re: Our response

Kylie,
We were not made aware of a deadline to submit letters. We request that we receive the same respect to a deadline as our neighbors. Please submit the attachment as a partial response/solution. Thank you for your time in this matter. Anne

-----Original Message-----

From: Kylie Bagley <KylieBagley@elpasoco.com>
To: af2663 <af2663@aol.com>; Joe Letke <JoeLetke@elpasoco.com>
Sent: Wed, Sep 7, 2022 11:21 am
Subject: RE: Our response

Mark and Anne,

I appreciate your response, again due to the complaints that we received on your project the County was just asking if you would be agreeable to terms put forth by your neighbors, in no way are you required to agree to those terms.

I am going to move your application forward to my director. Based on the amount of opposition we have received it is up to his discretion to elevate your special use permit from an administrative approval to a formal public hearing. Once I hear back from him on his decision I will let you know.

Thank you,



Kylie Bagley
Planner II
Planning & Community Development
(719) 520-6323
Planningdevelopment.elpasoco.com

To review all El Paso County projects in **EDARP** go to: <https://epcdevplanreview.com/>

To review the El Paso County Land Development Code (2021) go to:
https://library.municode.com/co/el_paso_county/codes/land_development_code

PERSONAL WORK SCHEDULE

Monday - Friday, 7:30 am to 4:00 pm

DEPARTMENT HOURS

Monday - Friday, 7:30 am to 4:30 pm

From: af2663 <af2663@aol.com>
Sent: Tuesday, September 6, 2022 5:31 PM
To: Kylie Bagley <KylieBagley@elpasoco.com>; Joe Letke <JoeLetke@elpasoco.com>
Subject: Our response

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Dear Ms. Bagley,

Thank you for your email. Both my wife and I have attempted to call you with no answer and no return call. In an effort to be responsive to your email, we have decided to provide our answer in writing.

When the path behind our home became a walking trail it was nothing more than a beat down stretch of weeds. Since then, a group of neighbors (WOSC LLC) that included us purchased the land and in our case added approximately ½ acre to our property. At the time we purchased the land, we told the LLC that the path behind our home needed to be moved further away from our property line as we planned on fencing in our back so that our dogs would have more area to run. Unfortunately, the LLC did not move the path and consequently the path, now a walking trail, is only 8-11 feet from our property line. We installed an \$11,000 fence 10 feet inside our property line which makes it 18-21 feet from the trail. Additionally, we asked permission from our HOA (Woodmoor Improvement Association) to line the inside of our fence with green translucent matting similar to what is often used for tennis courts. Unfortunately, the HOA denied our request and reminded us that the only approved fencing in Woodmoor is either 2 or 3 post split-rail. In an effort to be good neighbors and avoid making our dogs wear zapping bark collars, we planted lilac and cherry bushes around the entire perimeter of our fence to provide a visual block to our dogs and those on the trail. These plants will take some time to grow and fill in enough to provide complete concealment.

Going above and beyond what is required, regrettably, we have put bark collars on our dogs to prevent them from barking at those who walk behind on the trail. This has worked very well and the only time we hear any barking from our dogs is when walkers have dogs who bark at our dogs as they pass behind our property. Needless to say this is very frustrating to our dogs and us, as these folks do nothing to control their dogs. Our HOA covenants state that dogs walking on

common areas must be leashed or under positive electronic control. Most of the walkers and their dogs who use the trail do not follow the covenants and we even have cases where the dogs run on to my property and up to the fence to harass our dogs. We have asked the HOA to enforce the covenant but they refuse by stating it is too difficult to enforce the rules. We have reached a point with these abuses of our rights, that I have installed a surveillance camera.

Finally, I am disappointed that the county would ask us to take unreasonable steps to limit our pets access to our private property when the folks who complain are on public land and violating both HOA covenants and County ordinances to leash dogs in public areas as well as regulations requiring all dogs in the County to be registered and licensed.

My wife and I have gone "above and beyond the call" and do not intend to erect an unapproved fence anywhere on our property. We would ask your support in asking the HOA to move the walking path an additional 10 feet away from our property and towards unfenced properties that lie behind the entire length of our land. The timing of this would be optimal as the trail was donated to the HOA from our LLC just last month with the agreement that the HOA would finish the trail in the coming months. Now is the time to move it. Also, 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.

Respectfully, Mark and Anne Seglem

Sent from my T-Mobile 4G LTE Device