

UVAR-23-0005

Jim Lamphear <rhomengarden@gmail.com>

Fri 9/29/2023 11:16 AM

To:Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>

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I am opposed to this type of business in an family/residential area

Dog kennels are not apart of neighborhoods

V.J.Lamphear

820w Pikes Peak

Humble Paws Variance

Whitney Hall <whitney.p.hall@gmail.com>

Fri 9/29/2023 6:29 PM

To:Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>

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Mr. Tefertiller,

We live at 1023 W Cucharas St, Colorado Springs, CO 80904, and strongly support the variance for Humble Paws. The team from Humble Paws is nice and respectful of its neighbors. Walking the dogs through the neighborhood is helpful to ensure that there is a good presence to discourage theft, vagrants, and other activities.

Thanks for considering our input.

Michael and Whitney Johnson

UVAR-23-0005 Humble Paws Use Variance

barbara may <bfm920@yahoo.com>

Sat 9/30/2023 6:02 PM

To:Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>

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Dear Sir

In my opinion this dog business should NOT BE ALLOWED to have ANY outdoor kennels. This type of activity is not a good fit where residences and other business are in close proximity. There are multiple business in this neighborhood and none create a disturbance except for this dog business. So far their "training" in their parking lot has not been a noise problem but a pack of dogs outdoors, barking incessantly, is not respectful of the neighboring businesses or residences. The noise their dogs created on a daily basis was disgusting. Also, their own small dogs are barkers so I would have to wonder about their "training" practices.

Barbara May

Humble Paws

Amber G. <gillisamber01@gmail.com>

Wed 10/4/2023 5:50 AM

To:Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>

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Re: Record Number UVAR-23-0005

Dear Councilman Tefertiller,

I am an active community member of the area around Cucharas between 16th and 8th Street. I live here and I enjoy the outdoors in the area every single day. This is a community that is quietly thriving with beautiful homes and families, sidewalks, parks and the peace one comes to expect from the westside, Old Colorado City.

When I saw that Humble Paws had moved in to the area, I was overjoyed. This is not only a facility that would enhance our community greatly, it is an essential service for a large part of overlooked population - rescue dogs. The services Humble Paws offers of training, boarding and day care are paramount to some of these dogs getting a chance at a happy life after a scary beginning.

Dogs barking is no more intrusive or discordant than the sounds of children laughing and screaming as they play. Barking is one of a dogs' only form of communication and signifies a healthy, happy animal or an animal on watch as it's instincts and training may have taught it. Dogs will bark, that's what they should do. They will bark to greet and to warn and to protect.

As someone who has also worked with rescue dogs, I can tell you that dogs barking is a great sound. The first rescue dog I met was a mutt named Candy who was blind in one eye from someone repeatedly kicking her in the face. Because she barked too much. This is like kicking a child in the face because it cries too much. Eventually the dog and the child will stop making sound. And instead they will whimper and shake and wither away in fear. It is the saddest most pathetic state an animal can be in. Please believe me that dogs barking is a good thing. It means they trust, it means they are happy, it means they are the dogs and members of families that they should be.

Humble Paws would not only be a facility that could offer our community members who are dog owners the services they need as they work during the day. It could also be a facility that partners with the Humane Society just down the street and offers room for overflow.

From a recent article on KRDO, "What we've seen is about a 45 percent increase in the number of owners who surrender their animals compared to last year," said Duane Adams, President and CEO of the Humane Society of the Pikes Peak Region."

"We need people who can help us bring these pups in and help them just have a stable place for a little while and get the medical care that they need,"said Candice

Lovato, Foster Coordinator for El Paso County Canine Rescue.

Humble Paws could also be a facility that offers jobs to not only disabled people but also parolees that may have a difficult time finding jobs or working with other people. This would give Humble Paws a potential workforce that would always pass a drug test and would always already have accountability.

I would happily sign a law for a tax that supported a facility in my community like Humble Paws. This is a welcome, necessary, loved kind of facility in our community. We need this neighbor as much as it needs us.

“The greatness of a nation and its moral progress can be judged by the way its animals are treated. “ ~ Gandhi

Sincerely,

Amber Gillis

Tuesday, October 3, 2023

9:54 AM

To Whom It May Concern,

Humble Paws moved into 925 W Cucharras in early summer of 2023 and immediately we noticed the noise from the barking next door. WD Construction is located at 919 W Cucharras and has been here for over 6 years. We have tenants who rent out office spaces downstairs as well. Here is a list of reasons that Humble Paws is a disturbance to the neighborhood, but in particular our business.

1. 925 W Cucharras is no more than 5 ft from WD's office (919 W Cucharras). Colorado Springs Regulations for Animals clearly state that "A kennel is allowed only in the Agricultural (A) zone. Pursuant to [City Code Subsection 7.3.105.G](#), all buildings and runs must be constructed at least 55 feet from any property line." From <https://coloradosprings.gov/planning/page/dab-401-city-regulations-animals> > *The owner of this building is clearly not aware of who he is legally allowed to rent the building to.*
2. WD Construction has regular meetings throughout the day. Some are in person in the office, and some are online. Many of our meetings are in the morning when the dogs are left outside until about 11am. Our clients, architects, owners, subcontractors, and more have all commented about the barking in the background. When any of these people come into the office, they are often greeted by two small chihuahua's that are put in the side fenced in area. This is annoying and disruptive for the WD employees as well.
3. Humble Paws has training for dogs in the front parking lot that is not fenced in, which is about two feet from WD's parking lot. At least once a week these dogs are performing off leash training and many of these dogs have aggressive backgrounds.
4. There have been fights that WD has witnessed from our office windows. Not only can we hear the fights, but watching the employees tirelessly try to get the pit mixes off each other is disturbing. Shane Hardison, Ryan Tefertiller, Jessica from PAFCA, and Animal Control all have our most recent video that took place on site. This fight between the two pit mixes ended in a physically and emotionally exhausted employee, a dog bleeding and exhausted, and the disturbance of our business.
5. There have been absolutely no changes from Humble Paws or Jeff Slavens in order to show respect to their neighboring businesses. Jeff Slaves, who is the owner of the building, told us to "wear ear plugs" along with some other words that were not friendly or neighborly. Humble Paws said they would keep the two small dogs out of the side gate, this is not true. Humble Paws also put up a privacy screen after we submitted the video of the dog fight.
6. The tenant's downstairs include Early Roots (child's therapist), Lumen Power (electrical contractor), Itrip Vacations (realtor), American Realty (realtor), and a Masseuse. All these tenants have commented about the dogs next door. As you can imagine, this is disruptive for all these businesses.

I want to make it clear that we are PRO rehabilitation of dogs, however we do not feel protected or that we are receiving fair treatment as a property owner or business. I also want to make clear that every

single person in this office owns a dog and loves dogs. It is incredibly unfortunate that both parties have been put in this situation. However, Humble Paws seems to be the only party who is being treated fairly as they have been illegally renting 925 W Cucharas that is not zoned for kennels, disturbing their neighbors' businesses, making no changes to noise, putting their neighbors in precarious situations, and more. All of this will be going on for 6 months on November 1st. WD and the owner of this building have waited patiently to be treated fairly. When will the law-abiding citizens be treated like law abiding citizens? Who is being held accountable for the disruption that this creates for WD and all our tenants' businesses?

Sincerely, WD Construction's Project Administrator

UVAR-23-0005

Palmer Family <wendianrew3@gmail.com>

Tue 10/10/2023 10:55 AM

To:Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>

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Dear Mr. Tefertiller,

We are strongly opposed to the approval of a Use Variance for an Animal Care Facility at Humble Paws, 925 W Cucharras Street. As this is being typed, we are hearing the sound of multiple dogs barking in the background. This has been the case since Humble Paws first began operating a few months back, beginning as early as 7:00 a.m. It is a regular occurrence that has been disruptive to the general quiet of our neighborhood, and frankly, it's quite annoying.

Imagine having a neighbor with dogs that have a high pitched yip. Or perhaps a dog that barks woof woof woof...woof woof woof...woof woof woof. Or one with a more constant woof-woof-woof-woof. Now put them all together in one spot, feeding off of each other, 8-12 dogs at a time. On a near daily basis. We would note that a month and a half or so after beginning operations, Humble Paws personnel created an indoor area to put the dogs in upon arrival in the morning; the sound of barking was diminished as a result, but could still be heard.

In addition to the noise from the dogs, there is also that from the trainers who shout commands while working with the dogs throughout the day. The training of the dogs also extends into the local neighborhood, with personnel walking them up and down the sidewalk, stating and shouting commands. And more barking.

Again, we are strongly opposed to the approval of the Use Variance UVAR-23-0005 due to the direct and continual disruptive impact the presence of Humble Paws has already had upon our neighborhood. Additionally, it is our opinion that Humble Paws and the dogs they serve would benefit by seeking a different location that has more space for the animals, and that is further removed from a residential area.

Respectfully,

Wendy and Andrew Palmer

Oct 7, 2023

Dear Ryan Tefertiller,

I'm writing concerning
Humble Paws use variance.

I'm not in agreement with
the dog kennel being across
the street from me. There is
way too much barking and

I'm seeing a lot of pit bulls,
which are extremely dangerous.

One day, one of the pit bulls
got away from one of the employees,
and he was chasing the dog,

(over)

trying to catch it.

I'm a 73 year old
and am very frightened
of dogs not on a leash.

Thank you kindly for
listening to my concern.

There are many elderly residence
living along side me, with
similar concerns.

Thank you

Pauline Peters
907-351-1556

P.S.

I own the property at 924 W. Cucharras
Street, Colorado Springs, Co. 80905

UVAR-23-0005 objection letter

Joanna Bean <joannalbean@gmail.com>

Thu 10/12/2023 8:34 PM

To:Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>

Cc:Wade H <wade.harper@outlook.com>

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Joanna Bean
1011 West Cucharras Street
Colorado Springs, CO 80904-4333
joannalbean@gmail.com
719-930-0620

Ryan Tefertiller
City Planner
Planning & Community Development Department
30 S. Nevada Ave., Suite 701
Colorado Springs, CO 80903

Dear City Planner Tefertiller,

I am writing to request denial of use variance UVAR-23-0005 Humble Paws Kennel/Boarding Facility for 925 W. Cucharras St. in Colorado Springs, Colorado in the strongest terms possible. I want to express my concerns related to the variance request and provide responses to some of the applicant's assertions in his request.

While I appreciate the need for businesses to grow and prosper, this particular zoning variance request would allow a use far outside what is appropriate for this neighborhood, is highly incompatible and poses significant threats to the well-being and quality of life for the residents of our residential neighborhood. Notably, Humble Paws Kennel/Boarding Facility has been operating for several months without the appropriate variance and has created significant negative impacts on the neighborhood, including crowded parked cars on side streets, barking dogs throughout the day and multiple dog trainers walking dogs, many with admitted behavioral issues, on nearby sidewalks and in alleys. The applicant has already had adverse effects on public welfare and the interests of neighboring property owners.

I would like to highlight several key concerns related to this request, which, if approved, could have a detrimental impact on our community.

Excessive Barking Noise: Humble Paws Kennel/Boarding Facility has already brought a substantial number of dogs to the area. The constant barking and noise generated by these animals disturbs the peaceful environment of our neighborhood, affecting our quality of life, mental and physical health and ability to work from home.

Unsafe/Untrained Animals: The introduction of numerous animals into our residential neighborhood raises concerns about the safety of residents, particularly children and elderly adults. Without stringent regulations and oversight, there is a risk of poorly trained or aggressive animals being in close proximity to our homes.

Personal Safety Issues: The presence of dangerous animals and a variety of unknown trainers in close proximity to residential areas poses a significant threat to personal safety.

Given the setback requirements for a Kennel at 55 feet there is no possible way the current property footprint can support that requirement even WITH a variance.

“If a property exceeds the codified limitation for domestic pets, it may be considered a kennel, which is not a permitted use within residential zones. A kennel is allowed only in the Agricultural (A) zone. Pursuant to Subsection 7.3.105.G, all buildings and runs must be constructed at least 55 feet from any property line.”

I must emphasize that our neighborhood comprises a diverse group of residents, including young children, elderly adults, and individuals who work from home. The negative consequences described above would disproportionately affect these vulnerable segments of our community.

I would like to provide objections to several statements made by the applicant.

1. The commercial property at 925 W. Cucharras St. does not require a nuanced approach from the City Council. For decades, the property was occupied by an ongoing business. The “specialized needs” suggested by the applicant are not appropriate for this neighborhood setting.
2. Dog training in the facility does NOT provide a community benefit and has had significant impact on the surrounding properties already. As noted above, the operation already underway by Humble Paws without the appropriate variance has caused increased traffic, crowded parking on South Tenth Street, trainers and dogs wandering the neighborhood streets and alleys and frequent dog barking throughout the day.
3. I see no evidence of the “exhaustive research” for alternative solutions argued by the applicant. In fact, the applicant has made no effort to work with the neighborhood and began business operations without the appropriate variance, despite arguing in its application that one of its benefits is “community engagement” and the assertion that the kennel is committed to being good neighbors and responsible community members. The educational programs, workshops, and events suggested in the application are exactly what the neighborhood does NOT desire. The applicant has not once made any outreach to me, as a nearby property owner. Nor is the applicant operating responsibly and harmoniously in the community.
4. The property in question has not been underutilized prior to the arrival of Humble Paws. For decades, it was an ongoing concern, Slavens Racing.
5. It is inappropriate to compare the nearby Chief Petroleum filling station with the detrimental impacts of the Humble Paws Kennel. (The Chief facility is not a Petroleum Plant, as stated by the applicant). The kennel has already had a much more significant impact on the neighborhood and is NOT inherently less intrusive, as asserted by the applicant. The kennel operations are in fact much louder, with barking dogs and a significant increase in car traffic.

This zoning variance (Record Number UVAR-23-0005) should not be approved due to its incompatibility with our residential neighborhood. This proposal is not in the best interest of our

community.

Sincerely,

Joanna Bean

UVAR-23-0005 objection letter

Wade H <wade.harper@outlook.com>

Fri 10/13/2023 9:24 AM

To:Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>;Talarico, Michelle <Michelle.Talarico@coloradosprings.gov>
Cc:Joanna Bean <joannalbean@gmail.com>

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Wade Harper

1011 West Cucharras

Colorado Springs, CO 80904-4333

wade.harper@outlook.com

206-455-5407

10/06/2023

Ryan Tefertiller

City Planner

Planning & Community Development Department

30 S. Nevada Ave., Suite 701

Colorado Springs, CO 80903

Dear City Planner Tefertiller,

I hope this letter finds you in good health and high spirits. I am writing to express my concerns and vehement opposition to the proposed zoning variance request submitted by Humble Paws Kennel/Boarding Facility for the 925 W. Cucharras St. in Colorado Springs, Colorado. Record Number UVAR-23-0005

While I appreciate the need for businesses to grow and prosper, I firmly believe that this particular zoning variance request (Record Number UVAR-23-0005) poses significant threats to the well-being and quality of life for the residents of our active residential neighborhood. I would like to highlight several key concerns related to this request, which, if approved, could have a detrimental impact on our community.

Excessive Barking Noise:

Humble Paws Kennel/Boarding Facility would inevitably bring a substantial number of dogs to the area. The constant barking and noise generated by these animals could disturb the peaceful environment of our neighborhood, affecting not only the residents' quality of life but also their mental and physical health.

Unsafe/Untrained Animals:

The introduction of numerous animals into our residential neighborhood raises concerns about the safety of residents, particularly children and elderly adults. Without stringent regulations and oversight, there is a risk of poorly trained or aggressive animals being in close proximity to our homes.

Animal Droppings:

The accumulation of animal waste in the vicinity of Humble Paws could lead to unpleasant odors and unsanitary conditions, which would be detrimental to the aesthetics and hygiene of our neighborhood.

Personal Safety Issues:

The presence of dangerous animals in close proximity to residential areas poses a significant threat to personal safety. It is our responsibility to ensure the protection and well-being of all residents, especially those who work from home and may be exposed to potential risks.

Finally given the setback requirements for a Kennel at 55 feet there is no possible way the current property footprint can support that requirement even WITH a variance.

"If a property exceeds the codified limitation for domestic pets, it may be considered a kennel, which is not a permitted use within residential zones.

A kennel is allowed only in the Agricultural (A) zone.

Pursuant to Subsection 7.3.105.G, all buildings and runs must be constructed at least 55 feet from any property line."

I must emphasize that our neighborhood comprises a diverse group of residents, including young children, elderly adults, and individuals who work from home. The negative consequences described above would disproportionately affect these vulnerable segments of our community.

In light of these concerns, I kindly request that you consider the potential consequences of granting this zoning variance (Record Number UVAR-23-0005) and carefully evaluate its compatibility with our residential neighborhood.

I firmly believe that this proposal is not in the best interest of our community, and I respectfully urge you to deny the zoning variance request (Record Number UVAR-23-0005) submitted by Humble Paws Kennel/Boarding Facility.

Thank you for your time and attention to this matter. I trust that you will make a well-informed decision that prioritizes the safety, well-being, and quality of life of the residents of Colorado Springs Please do not hesitate to reach out if you require any additional information or if I can be of further assistance in addressing this issue.

Sincerely,

Wade Harper

Humble Paws Use Variance (UVAR-23-0005)

William Tibbitt <BTibbitt@wdconstruct.com>

Mon 10/16/2023 8:35 AM

To:Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>

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Ryan,

My name is Bill Tibbitt and I am the owner of the building at 919 W. Cucharras St., which neighbors the subject property on the east, and owner of WD Construction which occupies the upper level of the property. After leasing for one year, I purchased the building at 919 in February 2019. I chose this location with an understanding of the zoning of the property and the adjacent properties. Based on the zoning, I trusted that I would be able to conduct my business in relative peace and quiet relying on the uses allowed by the zoning laws.

The noise created by the Humble Paws dogs when they are outside in the backyard is very disruptive. It carries on for hours every day. From the offices and our conference room closest to the back area of 925, we cannot participate in any video calls without the audience on the receiving side, often clients or prospective clients, complaining of the noise they hear in the background. When the dogs fight, as they regularly do, it can become so disturbing that we cannot be on any telephone call of any kind. In-person meetings are also often disrupted by the noise. It is consistently difficult to focus on individual work tasks when the barking and fighting is happening.

The noise coming from the dogs is hindering my company's ability to function properly and is damaging my business.

The office of my construction company occupies the upper level of the building. On the lower level are four separate spaces that we lease. The dogs are also negatively impacting the work of those four tenants and of my ability to lease those spaces. A tenant that provides speech therapy for children just last month decided not to renew her lease in our building.

I cannot emphasize enough; the barking goes on for hours. This is not a short burst or a bark at a squirrel or at someone that walks by. It is hours of barking, every day.

The following is from the City's Planning & Development office in response to an inquiry about the allowed uses at 925 W. Cucharras St.:

Cindy Hurst:

"Hello, Thank you for your inquiry. I looked up the address you referenced and it is zoned MX-L. (Mixed Use Large Scale). This zone does not allow kennels even if a conditional use permit application was submitted. Kennels are now basically limited to be in industrial zones. MX-L is not an industrial zoned district. So even with a conditional use application the use would not be allowed. They would have to complete a zone change application and a development plan. There is no guarantee that that type of application would be approved. Our typical process is once an application comes in and meets criteria, the project is reviewed by internal and external agencies. Public notice is sent out at that time to surrounding property owners of up to a 1000-ft distance from property. The planner's name and email will be on that postcard and you would be able to contact them at that time to provide your feedback Thank you, Cindy Hurst "

The Humble Paws facility would fall under:

ANIMAL CARE FACILITY: A facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, and prevention of animal diseases, including veterinary services, or in which boarding, breeding, grooming, training, and daytime or overnight care of more than four (4) domesticated animals is permitted.

Animal care facilities are not permitted in this zone.

If it was permitted, and it is not, here is what they would need to do according to the City codes:

7.3.303: COMMERCIAL AND INDUSTRIAL USES:

A. Agriculture and Animal-Related Services:

1. Animal Care Facility and Small Animal Clinic:

- a. Each building and any associated animal run shall be constructed at least fifty-five (55) feet from any property line.
- b. Except in the A zone district, all activities shall be conducted within a totally and permanently enclosed, soundproofed building.
- c. In the A zone district, outdoor veterinary activities require conditional use permit approval pursuant to Section 7.5.601 (Conditional Use Permit).

The Humble Paws facility cannot meet several of these requirements.

Item a.

The building at 925 W. Cucharas is less than 20 feet from the property line that we share with them, not the required minimum of 55 feet. The property is only 50' wide, which means nowhere on the property could an animal run be located and be 55 feet from a property line, per the requirement.

Item b.

The building at 925 W. Cucharas St. is not soundproofed. Not only can we hear the dogs barking when standing outside, we can hear them from inside our building when the dogs are inside their building.

I would like to address a few points made in the applicant's "Request for a Land Use Variance" letter.

The applicant states:

"Minimal Impact on Surrounding Properties: The proposed use is carefully designed to minimize any adverse effects on neighboring properties. We have taken substantial steps to address concerns related to traffic, noise, and aesthetics, ensuring that the use is harmonious with the surrounding area.

This is simply not accurate. The property was not designed to be a dog kennel and no modifications were made before they moved in with the exception of the installation of a few outdoor chain-link kennels. The dogs are in the backyard area every day and they make noise, every day. Some days are bad, and some days are very bad. The owners have not done anything to truly mitigate the noise. They did install hideous looking black plastic fabric with zip-ties on the chain-link fence. This didn't help at all. It only added visual pollution to the noise. The excessive noise is not in harmony with anything in the surrounding area.

The applicant did come to see us to try to resolve the noise issues. But to be clear, it is not resolved. In fact, it is as bad now as it was in the very beginning. Nothing has improved.

It is important to note that Humble Paws and landlord Jeff Slavens did not do the necessary work of understanding the zoning laws BEFORE moving Humble Paws into the building. That is when this variance should have been requested. It is a building owner's responsibility to know what uses are and are not allowed on their properties prior to leasing, not after. The applicant states, "we were, and continue to be, committed to being good neighbors and responsible community members". A business owner should also be aware of the laws and codes. The conduct of both parties in this case shows disregard for the zoning laws, the codes of the City, and their neighbors.

The Humble Paws facility does not belong at 925 W. Cucharas St., in this quiet neighborhood of mostly residences. They belong in a location the City has specifically designated for them, an industrial zone. The City made the determination that kennels belong only in industrial zones because kennels are loud and disruptive. They belong where other businesses are loud and don't rely on a quiet environment to function properly. It is time for the City to protect the businesses that are operating according to the zoning laws established by the City.

This email statement is written because I believe it is what I need to do to protect my business and the people that work for me. I believe Manny Martinez to be a decent man and I fully support the work Humble Paws is doing. They just need to do it in a location zoned for their use. Thank you for considering these comments.

Bill Tibbitt



719.492.0084

www.wdconstruct.com

UVAR-23-0005 Humble Paws Use Variance

Shelby Markus <[REDACTED]>

Mon 10/16/2023 2:11 PM

To:Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>;Tefertiller, Ryan <Ryan.Tefertiller@coloradosprings.gov>

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Ryan,

I am writing to you with concerns regarding the Humble Paws Use Variance at 925 W Cucharras Street, 80905. I oppose the approval of the Use Variance to house a dog boarding, training and grooming facility at this location.

The boarding, training, and grooming facility is a direct violation of the existing zoning district and a noise and odor nuisance to the immediate residential and mixed-use office community. This type of business also does not meet the City's Regulations for Animals.

The City's Regulations for Animals, City Code Subsection 7.3.105.G, states that "all buildings and runs must be constructed at least 55 feet from any property line." This is not and cannot be achieved on the West, East, or South side of the property at 925 W. Cucharras Street. Therefore, the building owner (Mondial Investments) and business owner (Humble Paws) are in violation of Subsection 7.3.105.G. The kennel runs at the East and South side of the building are erected on the property line, and the business owner uses these runs to house dogs.

In response to the Land Use Variance Letter, the business owner states that "the proposed use is carefully designed to minimize any adverse effects on neighboring properties. We have taken substantial steps to address concerns related to traffic, noise, and aesthetics, ensuring that the use is harmonious with the surrounding area." This is false. The owner has not taken measures to minimize disturbances, specifically noise and odor, and they have no intention of doing-so. The dog barking is incessant daily.

The owner goes on to plead the case that his business provides beneficial services to the local community and Douglas County and by not approving the variance the local community and Douglas County will be deprived of their services. This is completely false. The City zoning rules do not prevent the owner from conducting his business in the proper districts. Allowing Humble Paws to remain in the mixed-use/residential area negatively affects surrounding homeowners and small business owners rights. Requiring Humble Paws to vacate the property does not take away their right to own and operate a business, nor does it deprive the local community of their services, it simply informs them that there are specific zoning districts that allow the type of business they conduct and to seek out a suitable space in those districts.

In summary, the zoning districts are in place to protect residential and general office communities so as to not *deprive* residents and businesses of their peace and comfort. The City should deny the use variance for Humble Paws due to violating existing zoning districts and city regulations for animals, which negatively impact the quality of life of surrounding residents and businesses.

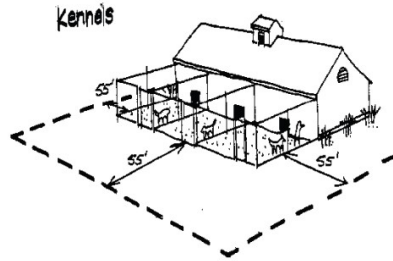
Dogs and Cats

The City of Colorado Springs allows up to four (4) dogs and four (4) cats over four (4) months of age per property pursuant to [City Code Subsection 6.7.106.F](#). Dogs and cats are required to be vaccinated and to be licensed through the Humane Society of the Pikes Peak Region.

For more information about Animal Law Enforcement, public pet services, or pet adoption, or to support animal welfare in our region, visit the [Humane Society of the Pikes Peak Region](#).

Kennels

If a property exceeds the codified limitation for domestic pets, it may be considered a kennel, which is not a permitted use within residential zones. A kennel is allowed only in the Agricultural (A) zone. Pursuant to [City Code Subsection 7.3.105.G](#), all buildings and runs must be constructed at least 55 feet from any property line.



Thank you for your time.

Note: Please do not make my contact information (email/phone) public when publishing my comments on this record. Also, the City's website lists a different email address for you so in an effort to ensure this reaches you, I am including a [springs.gov](mailto:shelby.markus@springs.gov) email address.

Regards,
Shelby Markus

