

09/15/2022



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PC PD MG

Planning Commission
City of Atascadero
6500 Palma Ave
Atascadero, CA 93422

Dear Planning Commission:

I would like to ask questions about the project at 10875 Colorado Road APN 045-441-029. I'm weary of how this type of hobby or business will do to this area. Especially being so close to 5 other homes on the same side of street and noise levels to homes around the area.

What I gathered from the City of Atascadero Employees about the kennel, is that the owners did not apply for a permit before said building was constructed.

My questions regarding animal safety:

- Is this structure the appropriate size for the amount of dogs it will shelter (possibly up to 10 dogs I was told not including the puppies)?
- Does this metal structure provide the dogs' protection and relief from the severe heat and cold weather we have been experiencing in this area?
- This structure is extremely close to neighboring houses and sits up on a hill in the front yard. How is this metal kennel going to keep the noise level and smell of approximately 10 dogs not including the puppies at descent levels?

4-1.119 Limitation on keeping animals.

It is unlawful for any person or persons to own, harbor or maintain at any single-family dwelling more than three (3) dogs or cats four (4) months of age or older. (Ord. 33 § 4-1.119, 1980)

The owners of 10875 are already breaking this rule by owning 5 dogs (4 female and 1 male) on the property today and have previously had at least one litter without a permit or breeding license. The owners already have a business online for breeding dogs www.stoneycreekterriers.com.

- Is this Hobby Dog Breeding Kennel Permit going to cover this business?
- How many dogs breeding at one time is considered a hobby?
- When does it become a business?
- This 1 acre of property that they live on is at least 40% unusable or unbuildable hill. With this many dogs on the property and they plan on owning more, is this enough land?
- Will there be a city official assigned to monitor this breeding business?

I'm a close neighbor and I'm concerned about the effects this business will have on this quiet neighborhood. This couple has already proven themselves as "Go ahead with their business now and ask for permission later" kind of people. As a concerned resident for not only the wellbeing of

Planning Commission

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these animals, but for the community surrounding this proposed business, the property is not big enough for the business they want to run. I heard the crying noises from the first litter. I'm not looking forward to the two litters coming in November.

Signed by a Concerned Neighbor on Colorado Road

From:
Sent: Saturday, September 17, 2022 11:08 AM
To: Planning Commission Public Comments
Subject: Comments on Agenda Item #3 for 09/20/22 Planning Commission Public Hearing

These comments pertain to the proposed residential dog kennel at 10875 Colorado Road:

As residents of Colorado Road, we highly value the rural quality of the neighborhood, especially the quiet nights when you can hear the occasional owl hoot, coyote yip, or cattle lowing in the distance through an open window. We also value the area's residential feel with friendly people out walking in the streets throughout the day with very little vehicle traffic.

We feel that excess noise will be unavoidable with 10 dogs in a common location. Even when confined in a house or garage, the sound of barking dogs will travel, especially in Summer when the windows and possibly doors need to be left open for ventilation. The sound of dogs barking throughout a Summer night is very disturbing, even at a distance. We're concerned that a collateral effect of using the garage to house dogs will include parking of vehicles and storing goods in the yard and/or on the street, detracting from the visual appearance of the neighborhood.

We feel that establishing a commercial business such as this within our neighborhood is not compatible with its current character. We would expect additional traffic and activity resulting from pickups/deliveries, people coming to view puppies, etc. We're also concerned that approving this business will set a precedent which may attract more of this type of enterprise and further erode the residential feel of the area.

For the above reasons, we respectfully request this variance not be approved.

Thank you,
Tom and Nancy Fitzhugh



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From:
Sent: Saturday, September 17, 2022 2:41 PM
To: Planning Commission Public Comments
Subject: Colorado Dog Breeding/Kennel USE22-0070/Lawrence/Agenda Item 3

Good Day pc-comments:

I would like to share our thoughts about the family ran dog breeding at the Lawrence's home. Living a few home away, I don't hear any inappropriate load noises or dog barking and supplementing your income during this time of high prices is a good thing.

Thank You and Happy Saturday :-)
Steve and Debra Leopard

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From:
Sent: Sunday, September 18, 2022 12:22 PM
To: Planning Commission Public Comments
Subject: 3. CONDITIONAL USE PERMIT FOR 10875 COLORADO ROAD

I am a neighbor of the proposed hobby breeding kennel. I live at Colorado road. I drive past the property daily and walk past daily as well. It is very quiet, I have never heard the dogs barking. The dogs appear to be very well behaved and trained. The property looks very clean and well maintained from the street level and the does not look commercial. I have no objection to approval of this permit.

Thank you for your time.
Shelly Flores

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From:
Sent: Sunday, September 18, 2022 4:55 PM
To: Planning Commission Public Comments
Cc:
Subject: APN 045-441-829
Attachments: 2010 yard 002.jpg; LAWRENCE 9-17-22 001.JPG; LAWRENCE 9-17-22 003.JPG



- John Fortney

Nick and Chelsey Lawrence live next to me. I want to state up front that in the 40 years I have owned and lived at this property I have never experienced with any of the previous property owners or renters at Colorado Rd anything like the appalling experience I've had since they bought the property in August, 2021.

Please bear with me for a bit of quick history from the past 12 months that leads to the kennel issue.

- Nick Lawrence came to my front door to introduce himself in late summer of 2021 and I invited him inside. He wanted me to walk down my driveway so he could discuss vegetation along my driveway (my trees and pampas grass). He wanted to discuss a pipe fence that he wanted to put on the property line around the perimeter of the property to contain his dogs. He wanted to rip out my pampas grass and palm trees that now appear to be on his side of the property line. My gas and water run along this side of my driveway. The water and gas were installed approximately 1973 prior to the acreage being subdivided in 1976 into three one acre parcels. Nick Lawrence demanded I move my utilities. In the fall of 2021 Nick Lawrence ripped out all my pampas grass and palm trees.
-
- I arrived home one day to find Nick Lawrence and Chelsey's father on my property at the back of my house. They said they wanted to see where the utilities entered my house. I stated this was none of their business and that they were trespassing. Chelsey's father lectured me about fences and that he owned a fence business in Paso. He told me if I didn't move my utilities they were going to drive their steel pipes down through my utilities and it would be my responsibility to have them repaired. I have a legal prescriptive easement for the utilities as the utilities have been there for 46 years prior to any lot split.
-
- Nick then demanded I remove my fence that has been there for 25 years. I tried to explain to him that if the fence is removed neither of us will have any privacy any longer. They still insisted the fence be removed which I did. Apparently, they don't care about privacy, so now

they look into the front of my house, and I look into the back of their house. They piled up garbage along the property line so I would have to look at that out the front of my house.

-
- Nick has removed countless pine trees under the guise of “they might fall on my house.” None of the trees posed any type of threat to his dwelling.
-
- Now we are finally at the dog kennel issue that Nick started building in May without a conditional use permit. I filed a code enforcement complaint in May regarding the dog kennel he said he was building to “house just his own dogs.” Again, he was not upfront about this as his wife Chelsey has a Facebook webpage touting her dog breeding business complete with kennels. Please note her dog breeding business name of Stoneycreek terriers on this page which states she has kennels for this purpose. The city did nothing to address this complaint until I called in July only to find out the police dept handled these complaints and the code enforcement position was vacant. So for almost two months my complaint sat in an In box not being addressed. Had this complaint been handled in a timely manner perhaps this issue could have been avoided.

After being advised in May that they needed a conditional use permit to build kennels and have a dog breeding business in a residential zone, Nick continued to build his kennels. Twice city officials have been out to speak with the Lawrences regarding this issue. There are four kennel enclosures for dogs. Nick does not own four dogs, hence they are not for housing his own dogs as he stated early in the project. He has already used the kennels to house dogs without a permit. I do not want these kennels in a residential neighborhood. They do not belong in a residential area. They do not enhance anyone’s property values, in fact they drive down my and surrounding property values. There is dog barking, dog feces, and smell all associated with kennels.

Others who live farther up Colorado Rd may not hear, smell, or see these kennels. As long as it is “not in their own backyard” as the saying goes, they may not care. However, the immediate houses surrounding these kennels will be negatively impacted by their dog breeding business. The Lawrences simply do not care and are not interested in the neighborhood in which they live.

I just received a copy of the letter that the Lawrence’s are passing out to the neighbors. What a wholesome family imagine they present with the family photos. You would not think these are the people that have been attacking me in every way they can for the last 12 months. This imagine they present could not be further from the truth. I have had to retain a lawyer for 7 months that has cost thousands to protect my utilities that they have threatened several times to destroy. I have had to file two police reports for trespassing. They have cut down 7 of my trees when my back it turned. They will say anything to get there way and then do exactly what they want with their dog selling and kennel business.

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Public Comment on 9/20/22 Meeting, Agenda #3

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To the Honorable Planning Commission Members,

I am a resident on Colorado Road. I have concerns about the dog breeding facility, and am respectfully requesting that this project be denied. I appreciate the time and effort that this Commission does to maintain the quality of life for the residents of Atascadero.

As you are aware, Colorado Road is a compact and short road, and as such, any variances to a regular residence greatly impacts our neighborhood. The proposed dog breeding project will most definitely impact our neighborhood. Dogs bark (regardless of the breed) and when there is more than one dog, the noise understandably escalates. If neighbors have felt compelled to complain about the noise of 5 dogs currently on the property, how will this be any better with potentially 10 dogs? There is also the increased traffic issue created by those who are coming to observe/purchase the dogs, waste removal, chemical sanitation products, as well as other various commercial vendors/deliveries to support the business. Commercial for profit enterprises are inconsistent with residential neighborhood character and do not belong in areas where residents live.

While I am empathetic to the applicants not being aware of the Conditional Use Permit (CUP) requirement, it is concerning that they did not think to inquire about it before purchasing the property, as well as illegally keeping five dogs at the applicant's home and in violation of Atascadero City code Section 4-1.119. I am not aware of the applicants doing any outreach to neighbors on Colorado Road and providing information on their proposed project.

Currently we have two Short Term Rentals on our street which also are disruptive especially when large groups are there and on weekends. As impacted neighbors, our only recourse is to contact the owners of the units in hopes that they will notify the renters of their unacceptable noise levels, which does not always happen. The additional rental traffic, parking, and noise impacts those of us close by to these units. Having a breeding kennel on our street will only further diminish the benefits of living on Colorado Road. To reiterate, commercial units/enterprises do not belong in residential neighborhoods.

In addition to appreciating the Commission's time in considering my request, I would also appreciate the Commission addressing the following questions:

1. How will the limitation of 4 litters per year be monitored?
2. How will the maximum number of dogs on the property be monitored?
3. Will the terms of the CUP be enforced only on a complaint basis?
4. How were the permits issued to build the kennels without the vetting/permitting of the business? (Please know that I am not finding fault with staff, only asking a question)
5. In the Noise Section of the agenda item, I did not see where dog barking was ranked in DBA, only for the general common indoor and outdoor noises. How will this be measured by the applicant to ensure they are staying within the city codes?

We all make every attempt to be good neighbors and reach compromises when possible. I feel that this project does not meld well with our quiet residential character and respectfully request the Commission's denial of this project.

Thank you for your consideration.



DISTRIBUTED
PC PD MG

From:
Sent: Monday, September 19, 2022 4:40 PM
To: Planning Commission Public Comments
Subject: Colorado Dog Breeding/Kennel USE22-0070/Lawrence/Agenda Item 3

To the Chairperson and Commission,
I am writing on behalf of Nick and Chelsey Lawrence, and their "Residential Dog Kennel," on Colorado Rd. I have personally seen the small breeding operation that they have setup and it is completely professional. The multiple times I have visited their home, I found all the dogs to be very well behaved and trained. Very rarely barked, if at all, while running around. I believe in small businesses. I believe in Nick and Chelsey's small breeding operation, and I believe that they should be allowed to continue their family passion.

Thank you for your time and consideration.

Sincerely,
Jose Rodriguez

Sent from my iPhone

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September 20, 2022



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To the Planning Commission-

I'd like to address the concerns of our neighbors with full transparency.

- **Is this structure appropriate for the number of dogs it will shelter?**

Yes, it is more than appropriate for the number of dogs. Dogs ranging from 11-35lbs- require 24sq ft plus an extra 5sq ft per additional dog in the kennel. Dogs ranging from 36-50lbs require 40sq ft plus an extra 10sq ft per additional dog in the kennel. We have four kennels- each of our kennels in our structure are 96 sq ft.

County Regulations- Structure(s) must be provide enough area to allow each animal in the housing area to sit, stand, lie in a normal manner, and turn about freely.

- **Does this structure provide the dogs protection from the heat and cold we experience?**

County rules which our kennel provides-

Shelter must be constructed of a roof and three or more sides.

Shelter must adequately protect animals from cold, heat, wind, and rain. Shelter must contain clean, dry, bedding material if ambient temperature can be expected to drop below 50F. In addition to a shelter structure, outdoor housing areas must provide areas of shade large enough to encompass and shield all animals from direct sunlight when temperatures exceed 80F.

Our kennels, bedding, dog houses, and roofing provide all these requirements.

- **Location of the kennel is “extremely close” to neighbors- how will it keep noise down and smell of 10+ dogs not including puppies-**

The structure is in the appropriate setbacks from the property line.

Noise- The dogs have bark collars on and only make noise in alarm when seeing deer or a person they don't know on the property, just like other dogs do on the street. They have basenji in their bloodlines which is known as a barkless dog. This gives traits to this breed causing them to be a quieter dog. We have been told by multiple neighbors that our dogs are the quietest dogs on the street. We have very close neighbors with little dogs that bark constantly.

We have had one complaint in over a year of living here. We were out of town during that complaint. I am home with the dogs most of the time, and since the complaint, we have cameras surrounding the dog areas for their safety, so I will now know when they are barking and why. Unfortunately, we recently have had several neighbors purposefully trying to get the dogs to bark and it is all on camera.

We only have 5 dogs at this time and will not reach that ten-dog max until five or six years from now. As written in my justification statement- I have no intention of having ten dogs at this time. I'd like to have the possibility of adding an additional male bringing the number up to six. The four dogs in question are future daughters that will be replacing their mothers when they are ready to be retired, which will bring the number of dogs back down to six.

- **Smell-**
The kennels are cleaned and sanitized daily with a special cleaning solution specifically used for dog kennels. They do not smell.
- **They claim that 40% of the property is unusable land- is this enough land for the dogs?**
All of our land is useable for dogs. 40% of our land if not unusable, its actually the perfect area for a dog run and for the dogs to relax under the beautiful oak trees.

Question regarding our character

- **Go ahead with their business now and ask permission later-**
This is frustrating for our neighbors to judge our character without trying to ask questions or get to know us. We did a lot of research on this home before we purchased it to see if it would be possible to raise puppies here. We are in good standing of the county's rules for a Hobby Breeder Permit. The problem is that County and City rules do not match up. I thought I did everything I needed in order to raise my dogs according to the law. It was later brought to my attention that I needed a different permit according to City rules. I would never try to cut corners with this. These dogs are my life, they are my passion, they are my dream. Why would I jeopardize that by cutting corners and assuming it would all be fine? I have already received my Hobby Breeders Permit issued from the county and was in the process of getting a Multi Animal Permit when I was notified by the City of Atascadero that they require different permits than the county.
- **Website-**
Having a website does not automatically make you a business. It does however help network and collaborate when it comes to this special breed of dog. There are very few Decker and Old Dominion Terrier breeders in the United States. I am the Vice President of the Old Dominion Terrier Club of America. My website not only shows my puppies, but more importantly educates people on these breeds and the dogs that I own and have in guardian homes. I never claimed this as a business, it was a Hobby, now being FORCED into a business.
- **Concerned with the well-being of the animals-** these animals are well taken care of and loved. Each is registered through the county. They are seen routinely by the vet. Our dogs are not only breeding dogs, they are our family dogs. They go on adventures with us,

such as snow trips, camping, hiking, mountain bike riding, the beach, and afternoon walks around the neighborhood.

- **Crying noises from the first litter-**

We have a new set up for the next litter. The puppies will be in a different location than the previous litter. The city is aware of where we are keeping them.

- **Two litters in November-**

There is only one planned litter for November, which is clearly stated on the website. This is not even a confirmed pregnancy at this point.

One neighbor is concerned with the dogs sleeping in the garage and that will cause extra parking in Colorado Rd and us storing goods in the yard and street.

We have a very large, paved parking area behind our home, not visible from the street. We are able to park our three vehicles up there and out of sight. We don't own an excess amount of stuff that cannot be neatly stored in the garage.

Concern related to commercial vender/ deliveries-

We do not need, nor do we order on commercial levels. I buy my dog food, just like everyone else. My amazon orders come in just like everyone else. I do not order large quantities of goods for the dogs. They are hunting/ companion dogs that require very little maintenance and grooming.

Traffic-

Puppies will either be picked up in person or shipped. I do more driving taking my children to school than assumed increase in traffic from potential puppy parents. People are not allowed to come over whenever they want. There is a set time and date for puppy picks and pick ups. No one will know the different between us having company or if it's related to the dogs.

I hope that the answers to these concerns and questions help clarify our plan for the kennels and can put minds at ease. We love our home and this community that we are a part of. I am asking you, the Planning Commission, to please remember that these are not just dogs to us, they are not just an animal that we put in a cage to make a profit from, they are our family members. We are bonded to them, just as they are bonded to us. We have been completely heartbroken with the thought of possibly having to rehome two of our girls if this does not pass. We are all they know. My kids love their dogs with all their hearts. We as a family have had lots of tears and hard conversations to prepare our boys for what the outcome may be. I hope that it will not come to that. I hope that you will approve this permit, not only for me to continue my dream, but so my dogs can stay at their home, with the family that loves them.

Thank you for your time and consideration,

Chelsey Lawrence

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SEP 20 2022

COMMUNITY DEVELOPMENT

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To the Chairperson and Planning Commission,

We are the homeowners of the proposed "Residential Dog Breeding/Kennel" on Colorado road, Nick Lawrence. My Wife is Chelsey Lawrence.

While there may be certain concerns regarding a "kennel" operation, we are far from a big-scale operation! We are a smaller scale "hobby breeder" and as Chelsey explained in her justification statement, litters would be managed throughout the year, so essentially there would not be 42 puppies running around and causing a ruckus in this lovely neighborhood. (This number 42 is exaggerated, but I was trying to make a point that it will NOT be utter chaos in the neighborhood). We are also not boarding dogs or a training kennel, so the dog numbers will be consistent with just our personal dogs within our breeding program.

I was born and raised in Atascadero, Chelsey was born and raised in Templeton, and we love being part of the Atascadero community! Not only is this a passion of Chelsey, but our children are also learning valuable lessons and responsibilities when it comes to taking care of animals. Our children, ages 6 & 7, love to be a part of Chelsey's dream and the life lessons they are learning at a young age are invaluable.

We love our quiet neighborhood, and we plan on keeping it that way! Yes, dogs do bark and frankly, we hear a lot of other dog barking and a sleuth of farm animals making noises throughout the days/nights, but living in a Rural Suburban area, I would expect people to have dogs and farm animals that make some noise time to time. Honestly, we hear our adjoining neighbors' farm animals making noises and their dogs barking throughout the day, so if our dogs barking is of concern, we do not want to be the ones on the block who create extra noises. We have training techniques and the type of dog breed we have, they naturally do not bark, but just like any dog, they will probably bark at natural wildlife and/or towards someone unknown walking up our driveway. Currently, our dogs are in an area where they see the street and we always have people saying they love to see our dogs up on the hill, and they comment how they do not bark and are well-behaved. Our dogs woof a little, but almost like they are saying hi to the friendly neighbors and/or pets walking with them. We constantly hear amazing comments on our property enhancements and how nice it is to have our younger family on the block. Our property design is built on an elevated platform, and we continue to enhance it to not stand out and most literally blend in with the other homes on this street.

Our structure for the dogs was built with a sense of purpose, safety, and security for them, in which the materials are made with top-of-the-line quality and made to be appealing to the eye. Essentially, if someone were to drive or walk by someone would not even know the structure is the home for our dogs and rather looks like a high-quality shed or shop structure.

For the neighbors that may disagree with our opinions, we respect people's privacy as we do us. As seen in our site plan, our fence line with our behind neighbor will be lined with a non-climb fence lined with additional landscaping, and soon-to-follow privacy panels, so privacy will be there for our neighbors of concern. The front of the kennel is currently blocked by a privacy fence, so our direct behind and side neighbors who strongly object to our kennel operation or even the site of our dog's new home, are not able to see the front structure or animals when they are inside. You will only be able to see the solid steel sides of the structure from the public street,

and from our neighbor's private property, they will see the solid steel siding and the structure's privacy fence. If there is a concern with a visual appeal from our behind neighbor of our property and kennel, he also told me he would be building his privacy fence, so if my privacy fence timeline doesn't meet his satisfaction, he can just as easily build his fence with the existing stack of privacy panels he has on his property.

The backstory that I feel is relevant

Our behind neighbor(s) may have strong opinions about our lifestyle of choice, but ever since we bought this amazing home, it seems we have been under attack from our neighbor(s). Once we got our professional survey, it was discovered he had built a fence that started 5ft onto our property and ended at 25ft on our property. Since we had the discussion of the true property line and he had to remove his fence and landscaping off our property, we have been under the crosshairs of him for over 1 year, which has involved us having to get a lawyer because his lawyer started sending threatening demands against our family. Mind you, our behind neighbor or other neighbors of concern have not once tried talking to us to understand our true scope of fencing, and landscaping, or even voice possible concerns. Instead, we get intimidating letters from a lawyer in the mail; in my opinion, this is not very neighborly... When it comes to our small-scale hobby breeding program or my family just having dogs that supposedly make an "awfully lot of noise", not one of our neighbors of discontent attempted to talk to me or Chelsey about their concerns. Instead, they have had a bullying attitude, harassment tactics, and unjustified complaints to authorities and it appears they are trying to do anything to run us out of the neighborhood. In fact, I was recently harassed by one of my neighbors for "boarding animals illegally", and that is far from the truth. All our dogs are rightfully registered through the county, so it appears they are jumping to diverse conclusions without even attempting to personally talk to us. Our pets are in a healthy environment and treated with utmost care and well-being. I hate to bring up my past property dispute issue when this isn't the forum for it, but since we got our professional survey, our behind neighbor has been attacking us with his lawyer and threatening concerns and/or threatening monetary setbacks against my family. We have spent thousands of dollars on lawyer fees because of anything we do to our property; our neighbor has his lawyer engage our lawyer. Everything we do on our own property appears to be our behind neighbor's concern and not up to his satisfaction. We are constantly watched, either with binoculars or having pictures taken of my family and my property, which then are turned into the city for complaints of possible violations. We are starting to feel uneasy even going outside of our own house and frankly my wife and kids don't want to go outside for fear of harassment, doing something wrong while playing with the dogs, or even enjoying the property. Now that we must go through a special permit process, this is the next thing we are under heavy attack and daily we are being watched, photos have been taken, and have been harassed by a few of our behind neighbors.

We are doing the best we can when it comes to living on our property cohesively, but our couple behind neighbors don't care for anything we do and have personally voiced to me, that we are not wanted here and my family and I have been directly called and profiled as "hillbilly" from San Miguel or Creston, just because we are building oil field pipe fence.

So, while considering our permit approval, the comments made against our dogs, kennel, and property negatively, I ask to hopefully be looked at from all angles of opinions.

I know this letter shouldn't contain stuff not directly about the CUP we are applying for, but I feel we should be able to defend ourselves from some of our direct certain neighbor of discontent (Mr. Fortney). We are a wholesome family with high values and upmost respect for our community and our neighbors. We are known in the community and my family of multiple generations are very well know and have been involved in the Atascadero Community. I just cannot stand here and let him drag our family through the mud. I find this so frustrating when we are doing absolutely everything we can right. After we bought our first house, we wanted to build our fence so we can allow our dogs enjoy the property as well. Following a professional survey, we discovered Mr. Fortney has his fence and much landscaping infringing on our rightfully purchased property, he was asked to remove his landscaping and fencing and relocate them on his own property. He only removed his fence and his palm trees that he wanted to. Apparently Mr. Fortney's had private utilities that ran thought the corner of our property. He would not help me located or identify the supposedly location. Like anyone does, "Call before dig" along with a private utility surveyor was performed before I began my fence planning and installation. The gas guy was helping me find utilities, which then Mr. Fortney claimed I was trespassing, and the utilities were none of my business. I informed Mr. Fortney, that if we do not locate utilities, we do not want to be responsible for possibly hitting a line. Every tree I removed was on my side of the property, but I feel like Mr. Fortney doesn't know the whole picture of what we are doing, nor has he ever tried to personal talk to. I am also a little confused on why my neighbor should be concerned about what trees I have removed and what landscaping I do on my own property. After being forced to get a lawyer since Mr. Fortney went straight to have his lawyer engage my family, he has had ample notifications for over 4-6 months, to remove his landscaping off our property that he says he planted, but once again, he chooses to not remove some items off my property and anything I removed was on my side of the property. After he called city code enforcement, they came out to inform us we actual do need this CUP and a building permit. After talking to city officials, a couple times, we are following the steps to acquire my building permit and our CUP. I also find it VERY odd that I saw him inside his window taking pictures of me and my wife talking to city officials. He also must be confused because this CUP for breeding is completely different from the structure I built. Regardless of this CUP, these "kennels" are staying since our personal dogs need their new home. Also, we rightfully do own 4 dogs which are properly registered through the county, so yes, our structure has 4 stalls that can safely house our 4 personal dogs. This new home is to replace very unpleasant chain link kennels, and in my opinion, anyone should be happy to have these chain link kennels gone. Especially when the chain link kennel that was completely visibly from the street, has been removed.

Anyways, this property dispute is ongoing, and this structure and breeding is just one more thing Mr. Fortney is attacking us on. I feel a property dispute is not relevant to what the CUP is all about, and it is for breeding our dogs for a hobby. I would also to state, there is no "trash" piled up and nor am I "purposely" piling up items to irritate my neighbor, which it has been stated to me directly from Mr. Fortney that I am purposefully piling up items to irritate him. Again, nothing is preventing Mr. Fortney from building his fence so he doesn't have to look at my property. We are a single-family income, and I can only build stuff so fast. We currently have all my fencing materials on the ground, so we are ready to install very soon.

In Conclusion, this truly is a passion of Chelsey's! Being able for our family to provide these terriers to families in our surrounding cities and throughout the United States is an amazing opportunity. She has always had a love for Terriers growing up in a hunting family and feels beyond accomplishment to be Vice President of The Old Dominion Terrier Club of America. Being able to extend the opportunity to provide outstanding medium-sized dogs to other like-minded families is a dream of hers. I would like to add that, how can anyone become a small entrepreneur without being given a chance at a dream? We would love the opportunity to be a small business in Atascadero and as a small business, we would be contributor back into the community of Atascadero.



Thank you for your time and consideration and hopefully for this permit approval.

Sincerely,
Nick Lawrence and the Lawrence Family

From:
Sent: Tuesday, September 20, 2022 10:47 AM
To: Planning Commission Public Comments
Subject: FW: APN 045-441-829 WITH CORRECTIONS
Attachments: 2010 yard 002.jpg; LAWRENCE 9-17-22 001.JPG; LAWRENCE 9-17-22 003.JPG

From:
Sent: Sunday, September 18, 2022 4:55 PM
To: pc-comments@atascadero.org
Cc:
Subject: APN 045-441-829



- John Fortney

Nick and Chelsey Lawrence live next to me. I want to state up front that in the 40 years I have owned and lived at this property I have never experienced with any of the previous property owners or renters at Colorado Rd anything like the appalling experience I've had since they bought the property in August, 2021.

Please bear with me for a bit of quick history from the past 12 months that leads to the kennel issue.

- Nick Lawrence came to my front door to introduce himself in late summer of 2021 and I invited him inside. He wanted me to walk down my driveway so he could discuss vegetation along my driveway (my trees and pampas grass). He wanted to discuss a pipe fence that he wanted to put on the property line around the perimeter of the property to contain his dogs. He wanted to rip out my pampas grass and palm trees that now appear to be on his side of the property line. My gas and water run along this side of my driveway. The water and gas were installed approximately 1973 prior to the acreage being subdivided in 1976 into three one acre parcels. Nick Lawrence demanded I move my utilities. In the fall of 2021 Nick Lawrence ripped out all my pampas grass and palm trees.
-
- I arrived home one day to find Nick Lawrence and Chelsey's father on my property at the back of my house. They said they wanted to see where the utilities entered my house. I stated this was none of their business and that they were trespassing. Chelsey's father lectured me about fences and that he owned a fence business in Paso. He told me if I didn't move my utilities they were going to drive their steel pipes down through my utilities and it would be my responsibility to have them repaired. I have a legal prescriptive easement for the utilities as the utilities have been there for 46 years prior to any lot split.
-

- Nick then demanded I remove my fence that has been there for 25 years. I tried to explain to him that if the fence is removed neither of us will have any privacy any longer. They still insisted the fence be removed which I did. Apparently, they don't care about privacy, so now they look into the front of my house, and I look into the back of their house. They piled up garbage along the property line so I would have to look at that out the front of my house.
-
- Nick has removed countless pine trees under the guise of "they might fall on my house." None of the trees posed any type of threat to his dwelling.
-
- Now we are finally at the dog kennel issue that Nick started building in May without a conditional use permit. I filed a code enforcement complaint in May regarding the dog kennel he said he was building to "house just his own dogs." Again, he was not upfront about this as his wife Chelsey has a Facebook webpage touting her dog breeding business complete with kennels. Please note her dog breeding business name of Stoneycreek terriers on this page which states she has kennels for this purpose. The city did nothing to address this complaint until I called in July only to find out the police dept handled these complaints and the code enforcement position was vacant. So for almost two months my complaint sat in an In box not being addressed. Had this complaint been handled in a timely manner perhaps this issue could have been avoided.

After being advised in May that they needed a conditional use permit to build kennels and have a dog breeding business in a residential zone, Nick continued to build his kennels. Twice city officials have been out to speak with the Lawrences regarding this issue. There are four kennel enclosures for dogs. Nick does not own four dogs, hence they are not for housing his own dogs as he stated early in the project. He has already used the kennels to house dogs without a permit. I do not want these kennels in a residential neighborhood. They do not belong in a residential area. They do not enhance anyone's property values, in fact they drive down my and surrounding property values. There is dog barking, dog feces, and smell all associated with kennels.

Others who live farther up Colorado Rd may not hear, smell, or see these kennels. As long as it is "not in their own backyard" as the saying goes, they may not care. However, the immediate houses surrounding these kennels will be negatively impacted by their dog breeding business. The Lawrences simply do not care and are not interested in the neighborhood in which they live.

I just received a copy of the letter that the Lawrence's are passing out to the neighbors. What a wholesome family image they present with the family photos. You would not think these are the people that have been attacking me in every way they can for the last 12 months. This image they present could not be further from the truth. I have had to retain a lawyer for 7 months that has cost thousands to protect my utilities that they have threatened several times to destroy. I have had to file two police reports for trespassing. They have cut down 7 of my trees when my back was turned. They will say anything to get there way and then do exactly what they want with their dog selling and kennel business.

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From:
Sent: Tuesday, September 20, 2022 11:16 AM
To: Planning Commission Public Comments
Subject: Colorado Dog Breeding/Kennel USE22-0070/Lawrence/Agenda Item 3

Good morning,
Our names are Dave and Susan Small; We live at Colorado Road in Atascadero, Ca.
We are writing in support of the Lawrence's building the small kennel and operating a hobby dog breeding program; they are a terrific, industrious young family who bring renewed vibrancy to our neighborhood.
The Colorado Road neighborhood is semi-rural and is home to many dogs, horses, and in the past even a goat herd shepherded by one of their immediate neighbors. The Lawrence's dog breeding program feels a natural fit to the area. I hope that the City Council will see fit to approve the kennel, as well as the hobby dog breeding program.
Thank you very much for your taking the time to address this issue and for taking the time to hear our opinion on the matter.
Very best regards,
Dave and Susan Small



Sent from Mail for Windows

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From:
Sent: Tuesday, September 20, 2022 11:25 AM
To: Planning Commission Public Comments
Subject: Colorado Dog Breeding/Kennel USE22-0070/Lawrence/Agenda Item 3

Dear Planning Commission,
My name is Paul Hyman. I reside at Colorado Rd, Atascadero, CA. I received a notice regarding this project. I am giving my public comment in support of the Lawrence hobby Dog Breeding/Kennel. I have lived on Colorado Rd for 42 years. I have not heard any dog barking from their residence since they moved in.
The neighborhood has dog owners that have pets who occasionally bark loud enough to be heard, but that noise does not originate from the Lawrence residence. Also, animal noise is part of the ambiance of the neighborhood. I think what is proposed is a modest undertaking and should be allowed to go forward. If it negatively affects the neighborhood then it can be revisited in the future.
Respectfully,
Paul Hyman

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From:
Sent: Tuesday, September 20, 2022 11:29 AM
To: Permit Center
Subject: Kennels on Colorado hearing

How can the city allow a dog breeding business to have more animals on a residential property than I am allowed to have as pets? There is a limit of three dogs or cats, correct?

Thanks,

John Gardner

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September 19, 2022



DISTRIBUTED
PC PD MG

To: Planning Commission
City of Atascadero
6500 Palma Ave.
Atascadero, CA 93422

Re: Hobby Dog Breeding Kennel located at 10875 Colorado Rd. Atascadero CA

Dear Planning Commission,

Upon reading prior comments submitted, I offer the following comments (that are supported by facts as opposed to speculation):

- Dogs are NOT kept in the heat or cold, they are indoors when heat or cold is extreme. Pictures with date stamp can be provided if needed from the Owners. These dogs are part of their family.
- Also there is 24 hr video monitor on the dogs as well so they are always kept safe and comfortable.
- There is no noise from kennel, dogs have training bark collars.
- There is no smell as kennels are cleaned daily (unlike prior home owners that left 6 extra large trash bags full of dog feces when they moved out, no one complained about that)??
- The Hobby Breeders Permit DOES cover this business.
- There is one litter of puppies due in November so not sure where the 2 litters story was concocted from. Further the litter that was there in the Spring of 2022 was their parents dog's litter as her mother had severe health issues and ended up being hospitalized. So out of kindness and concern for her mother, she brought the dogs to her home. Again this is a FACT that can be verified if needed.
- Owners constructed it prior to knowing they needed a permit and immediately filed for one upon discovery of this.
- Owners are extremely responsible people and do NOT have disregard for their neighbors and even consulted the neighbors directly across from them to see what color of tin etc. would be acceptable since their house looks directly at it. In addition, neighbors directly across who had a huge issue with prior home owners obnoxious Blood Hound who howled all day long (this can also be confirmed by Animal Control multiple calls) and likely would be impacted the most, are in complete support of the Owners.

Signed,

A concerned neighbor FOR the well being of the this Family and their dogs.

From:
Sent: Tuesday, September 20, 2022 12:38 PM
To: Planning Commission Public Comments
Subject: #3 Dog Kennel on colorado Rd. Atascadero



To Whom it may concern:

We live 200 feet away from what is now a 20 by 40 metal building that was constructed to house a dog kennel. Without a building permit. In February of 2022 we were forced to listen to many puppies crying and barking several hours a day for weeks on end.

During that time we had to hide inside our house to avoid the constant noise. We have lived in this house peacefully for 23 years until this breeder moved in. We also have had to endure weeks of loud construction noise for several months now and is still ongoing. We no longer are able to sleep with our windows open or sit out on our patio due to these people's noise.

This used to be a quiet family environment, now there is construction noise early in the morning and on weekends. We are strongly opposed to having a dog breeding business in our neighborhood where homes are so close to this noise. They also ripped out all the landscaping and now have piles of sand and metal poles all over the yard. Our home values will surely go down due to these people and their mess they have made of that property.

I ask each one of you, how would you feel if this was about to happen next door to your house? These people have 5 dogs even though they are aware that 3 dogs is the limit in this city. They clearly have no respect for laws, permits, inspections or how they are affecting their neighbors.

We strongly urge the council to deny this permit!

Thank you,
Larry and elaine Burelle

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From:
Sent: Tuesday, September 20, 2022 1:36 PM
To: Planning Commission Public Comments
Subject: Colorado Dog Breeding/ Kennel USE22-0070/Lawrence/ Agenda Item 3

Hello,

My family and I live adjacent to the Lawrences. In the time that they have been our neighbors, they have actively worked to improve the property and the house.

I have never heard their dogs make undo noise. I suppose I have heard them bark occasionally, but nothing that could be considered a nuisance.

They are personable and responsible neighbors, and I believe that carries over to how they care for their animals.

I have no issues regarding the kennel, nor with their hobby of breeding their dogs.

Thank you.

Peter Hewitt



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