



**STAFF REPORT TO THE  
BENTON COUNTY HEARINGS EXAMINER  
Oscar and Kellie Garcia dba Badger Canyon Aussies  
Commercial Kennel & Dog Breeding**

**FILE NO:** CUP 2021-005

**HEARING DATE:** June 18, 2021

**APPLICANTS/OWNERS:** Oscar and Kellie Garcia, 27804 S 887 PR SE, Kennewick, WA 99338-1195

**LOCATION:** General Location: The property is located south of E Badger Rd, on the west side of S 887 PR SE in Kennewick, Washington.

Situs Address: 27804 S 887 PR SE, Kennewick, WA

Legal: Lot 2, Short Plat 555, Section 21, Township 8, Range 28, W.M.

Parcel Number: 1-2188-101-0555-002

**PROPERTY SIZE:** 1.24 acres

**AREA TO BE USED:** Approximately 19,000 sq. ft. of yard area, with a 2,400 sq. ft. shop building containing 730 sq. ft. with six (6) kennels and an attached covered lean-to dog run of 480 sq. ft. Additionally, there is a 192 sq. ft. dog shed with two (2) kennels and an attached 400 sq. ft. covered dog run.

**LAND USE:** Residential

**ZONING:** Rural Lands 5

**COMPREHENSIVE PLAN DESIGNATION:** Rural Remote

**RECOMMENDATION:**

The Planning Division recommends approval of the application request, subject to the suggested nineteen (19) Findings of Fact and eight (8) Conditions of Approval as outlined in this Staff Report.

**APPLICATION DESCRIPTION:**

The applicants are requesting a Conditional Use Permit to operate "Badger Canyon Aussies"; a commercial kennel and dog breeding business on approximately 1.24 acres in the Rural Lands 5 (RL-5) Zoning District located south of E Badger Road on the west side of S 887 PR SE in Kennewick, Washington.

The site consists of a 3,307 sq. ft. owner-occupied single-family home, a 2,400 sq. ft. shop building, and a 192 sq. ft. utility shed.

The Garcias have been operating a dog breeding facility on site for six (6) years with a license from the State but were unaware they needed a permit from the County. Upon learning they needed a permit from the County they initiated the CUP permit process. There is currently one active Code Enforcement complaint on the property. No other complaints have been filed for the property since they have lived there.

The applicants currently have fourteen (14) adult dogs on site and have requested to maintain a 14 dog maximum for the life of the Conditional Use Permit. Five (5) of the dogs are personal pets that are housed/kept within the family home and nine (9) are currently housed in kennels throughout the family home and in a 192 sq. ft. converted utility shed with indoor kennels, air conditioning and heat, and access to individually fenced and covered outdoor runs.

All dogs have access to a fully fenced 19,000 sq. ft. grass area for recreation and relief.

The proposal includes converting 730 sq. ft of the 2400 sq. ft shop building into seven (7) indoor kennels each with access to its own 5x10' fenced and covered outdoor run. All indoor kennels are, or will be, fully heated/air conditioned and the 19,000 sq. ft. grass area is fully enclosed by a 5-foot wire fence with an additional single strand of low voltage electric wire at the top/bottom of the fence for the safety and containment of the dogs.

The applicants have submitted a waste management plan which includes picking up the solid waste several times a day, including in the kennel areas and play yard. Steel containers with lids and plastic bags are located throughout the property for short-term storage. The solid waste is then transferred to a trash container for disposal, just prior to "garbage day", to minimize impact from odors. Urine is washed off the concrete kennel area daily into a gravel area. The Benton Franklin Health Department has reviewed and approved the waste management plan submitted by the applicants.

The application for CUP 2021-005 was submitted to the Benton County Planning Division on May 4, 2021.

The application for CUP 2021-005 was declared complete for processing on May 6, 2021.

The application documents for CUP 2021-005 were distributed to reviewing agencies on May 7, 2021.

The Benton County Hearings Examiner Notice of Open Record Hearing was published on June 2, 2021 in the Prosser Record Bulletin.

The Notice of Hearing was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on June 4, 2021.

The Open Record Hearing is scheduled for June 18, 2021.

### **APPLICABLE STANDARDS/ORDINANCES:**

1. *Benton County Comprehensive Plan*  
3.3.2.3 Rural Land Use Designations

Rural Remote is the predominant rural land use in the County. This land is located mostly between the agricultural lands (GMA Agriculture), Rural Transition, and the UGAs. Rural Remote land use is intended to enhance and preserve the County's rural character, which includes: rural open space, low densities, wildlife habitat, public open space for outdoor recreational activities, and rural home sites on which a limited range of agricultural activities may be conducted. Allowable density in Rural Remote land use is 1Du/5acres.

2. *Benton County Code (BCC)*  
Title 11 Zoning  
Chapter 11.03 Definitions  
Section 11.03.010 (95): Kennel, Commercial  
 Kennel, Commercial means any premises on which more than four (4) dogs, each more than six (6) months old are housed, groomed, bred, boarded, trained, or sold.
  
3. *Benton County Code (BCC)*  
Title 11 Zoning  
Chapter 11.11 Rural Lands Five Acre District (RL-5)  
Section 11.11.060 Uses Requiring a Conditional Use Permit  
 (f) Kennel, commercial.
  
4. *Benton County Code (BCC)*  
Title 11 Zoning  
Chapter 11.50 Variance and Conditional Use  
Section 11.50.040 Conditional Use - General Standards  
 The conditional use permit application process allows the Hearings Examiner to review the location and design of certain proposed uses, the configuration of improvements, and the potential impacts on the surrounding area. The application process also allows the Hearings Examiner to ensure that development in each zoning district protects the integrity of that district. The notice, hearing, decision, and enforcement procedures are as set forth herein and in BCC 11.50.050.

Certain uses are classified as conditional uses because of their unusual nature, infrequent occurrence, special requirements, or potentially significant impacts to the environment, public infrastructure, or adjacent properties, and/or possible safety hazards and other similar reasons.

Once granted, a conditional use permit may be transferred by a holder thereof after written notice to the Hearings Examiner; provided the use and location must remain the same and the transferee must continue to comply with the conditions of the permit and, if applicable, the requirements set forth in Chapter 11.51 BCC.

Section 11.50.040 (d) Conditional Use – Permit Granted or Denied

A conditional use permit shall be granted only if the Hearings Examiner can make findings of fact based on the evidence presented sufficient to allow the Hearings Examiner to conclude that, as conditioned, the proposed use:

- (1) Is compatible with other uses in the surrounding area or is no more incompatible than are any other outright permitted uses in the applicable zoning district;
  
- (2) Will not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the applicable zoning district;
  
- (3) Would not cause the pedestrian and vehicular traffic associated with the use to conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with any other permitted uses in the applicable zoning district;
  
- (4) Will be supported by adequate service facilities and would not adversely affect public services to the surrounding area; and

- (5) Would not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district as a result of the location, size or height of the buildings, structures, walls, or required fences or screening vegetation to a greater extent than other permitted uses in the applicable zoning district.

It is the applicant's burden to present sufficient evidence to allow the above conclusions to be made. If such evidence is not presented or all necessary reasonable conditions are not identified by the applicant so as to allow the Hearings Examiner to make the conclusions required above, the conditional use application shall be denied.

In addition to considering the impacts of the proposed use, the Hearings Examiner must also consider any evidence presented regarding any similar impacts of uses allowed outright in this zone, and if such evidence is received, compare those impacts to those of the proposed use.

If negative impacts are identified, the Hearings Examiner must try to identify reasonable conditions that would mitigate those impacts sufficiently to allow the Hearings Examiner to make the findings necessary to grant the permit. The applicants may be asked to identify reasonable conditions, but the Hearings Examiner may independently identify conditions. Further, an applicants' disagreement with a particular condition should not dissuade the Hearings Examiner from granting the permit with such condition(s), as opposed to outright denial, if the Hearings Examiner is able to conclude that the condition(s) is/are reasonable in their judgment.

5. *Washington State Revised Code of Washington (RCW)*  
Title 16 RCW Animals and Livestock  
Chapter 16.08 Dogs  
16.08.010 Liability for injury to stock by dogs.  
16.08.020 Dogs injuring stock may be killed.  
16.08.040 Dog bites—Liability.  
16.08.050 Entrance on private property, when lawful.  
16.08.060 Provocation as a defense.  
16.08.070 Dangerous dogs and related definitions.  
16.08.080 Dangerous dogs—Notice to owners—Right of appeal—Certificate of registration required—Surety bond—Liability insurance—Restrictions.  
16.08.090 Dangerous dogs—Requirements for restraint—Potentially dangerous dogs—Dogs not declared dangerous.  
16.08.100 Dangerous dogs—Confiscation—Conditions—Duties of animal control authority—Penalties and affirmative defenses for owners of dogs that attack.  
16.08.110 Breed-based regulations.
6. *Washington State Revised Code of Washington (RCW)*  
Title 16 RCW Animals and Livestock  
Chapter 16.52: Prevention of Cruelty to Animals  
Section 16.52.310: Dog breeding—Limit on the number of dogs—Required conditions—Penalty—Limitation of section—Definitions.
- (1) A person may not own, possess, control, or otherwise have charge or custody of more than fifty dogs with intact sexual organs over the age of six months at any time.
- (2) Any person who owns, possesses, controls, or otherwise has charge or custody of more than ten dogs with intact sexual organs over the age of six months and keeps the dogs in an enclosure for the majority of the day must at a minimum:

(a) Provide space to allow each dog to turn about freely, to stand, sit, and lie down. The dog must be able to lie down while fully extended without the dog's head, tail, legs, face, or feet touching any side of an enclosure and without touching any other dog in the enclosure when all dogs are lying down simultaneously. The interior height of the enclosure must be at least six inches higher than the head of the tallest dog in the enclosure when it is in a normal standing position. Each enclosure must be at least three times the length and width of the longest dog in the enclosure, from tip of nose to base of tail and shoulder blade to shoulder blade.

(b) Provide each dog that is over the age of four months with a minimum of one exercise period during each day for a total of not less than one hour of exercise during such day. Such exercise must include either leash walking or giving the dog access to an enclosure at least four times the size of the minimum allowable enclosure specified in (a) of this subsection allowing the dog free mobility for the entire exercise period, but may not include use of a cat mill, jenny mill, slat mill, or similar device, unless prescribed by a doctor of veterinary medicine. The exercise requirements in this subsection do not apply to a dog certified by a doctor of veterinary medicine as being medically precluded from exercise.

(c) Maintain adequate housing facilities and primary enclosures that meet the following requirements at a minimum:

- (i) Housing facilities and primary enclosures must be kept in a sanitary condition. Housing facilities where dogs are kept must be sufficiently ventilated at all times to minimize odors, drafts, ammonia levels, and to prevent moisture condensation. Housing facilities must have a means of fire suppression, such as functioning fire extinguishers, on the premises and must have sufficient lighting to allow for observation of the dogs at any time of day or night;
- (ii) Housing facilities must enable all dogs to remain dry and clean;
- (iii) Housing facilities must provide shelter and protection from extreme temperatures and weather conditions that may be uncomfortable or hazardous to the dogs;
- (iv) Housing facilities must provide sufficient shade to shelter all the dogs housed in the primary enclosure at one time;
- (v) A primary enclosure must have floors that are constructed in a manner that protects the dogs' feet and legs from injury;
- (vi) Primary enclosures must be placed no higher than forty-two inches above the floor and may not be placed over or stacked on top of another cage or primary enclosure;
- (vii) Feces, hair, dirt, debris, and food waste must be removed from primary enclosures at least daily or more often if necessary to prevent accumulation and to reduce disease hazards, insects, pests, and odors; and
- (viii) All dogs in the same enclosure at the same time must be compatible, as determined by observation. Animals with a vicious or aggressive disposition must never be placed in an enclosure with another animal, except for breeding purposes. Breeding females in heat may not be in the same enclosure at the same time with sexually mature males, except for breeding purposes. Breeding females and their litters may not be in the same enclosure at the same time with other adult dogs. Puppies under twelve weeks may not be in the same enclosure at the same time with other adult dogs, other than the dam or foster dam unless under immediate supervision.

(d) Provide dogs with easy and convenient access to adequate amounts of clean food and water. Food and water receptacles must be regularly cleaned and sanitized. All enclosures must contain potable water that is not frozen, is substantially free from debris, and is readily accessible to all dogs in the enclosure at all times.

(e) Provide veterinary care without delay when necessary. A dog may not be bred if a veterinarian determines that the animal is unfit for breeding purposes. Only dogs between the ages of twelve months and eight years of age may be used for breeding. Animals requiring euthanasia must be euthanized only by a licensed veterinarian.

#### **PUBLIC NOTICE:**

The Public Notice Requirements for this application as per BCC 11.50.050(b) are as follows:

1. The Planning Department shall provide written notification for an open record hearing, subject to the rules and regulations set forth in RCW 36.70. Written notice shall be mailed at least twelve (12) days in advance of the open record hearing to the applicant and the owner of the parcel(s) to which the proposed variance or conditional use permit would apply, and to all owners of real property, as shown in the records of the Benton County Assessor, located within a distance of three hundred (300) feet of any portion of the applicable parcel, provided that if the owner of the parcel for which the proposed variance or conditional use permit is requested owns another parcel or parcels adjacent the parcel at issue, notification shall be mailed to owners of real property located within three hundred (300) feet of any portion of such adjacent parcels as well. Failure to receive the notice shall not invalidate any proceedings or decision in connection with the proposed variance or conditional use permit. Notices addressed to the last known owner of record as shown on the County Assessor's records shall be deemed proper notice to the owner of such property; and,
2. By publication of a legal notice in a newspaper of general circulation in the County at least ten (10) days prior to the open record hearing date.

#### **AGENCY COMMENTS:**

1. The application documents were distributed to the following reviewing agencies on May 7, 2021:
  - a. Benton County Public Works Department
  - b. Benton-Franklin Health District
  - c. Benton County Fire District #1
  - d. Benton County Fire Marshal
  - e. Benton County Code Enforcement
  - f. Kennewick Irrigation District
2. The following comments were received from the Kennewick Irrigation District:
  - a. This parcel is located within the Kennewick Irrigation District (KID) boundaries and is considered irrigable lands; therefore, the Kennewick Irrigation District assesses them.
  - b. Please note that permanent structures are not allowed within irrigation easements.
  - c. Please protect all existing irrigation facilities.
3. Benton County Planning Division  
The following are general comments and discussion points from the Planning Division:
  - a. A SEPA checklist was not required for this application.
  - b. Upon completion of a review of BCC Title 15 and the Benton County Critical Area Maps, no designated critical areas have been identified on this property. A critical area report is not

required for the processing of a conditional use permit for the proposed activity at this location.

### **FINDINGS OF FACT AND CONDITIONS OF APPROVAL:**

The following suggested Findings of Fact and Conditions of Approval are based on comments received up to the date of this staff memo. Any comments received after the completion of this staff memo or submitted during the public hearing for this application will need to be considered by the Hearings Examiner and may be added to the Findings of Fact and Conditions of Approval. The Hearings Examiner may decide to adopt these as their own or amend/add to these Findings of Fact and Conditions of Approval after holding the open public hearing.

Based on the information received to date, the Planning Staff recommends approval with the following Findings of Fact and Conditions of Approval:

#### **SUGGESTED FINDINGS OF FACT:**

1. The applicants are Oscar & Kellie Garcia dba Badger Canyon Aussies, LLC at 27804 S 887 PR SE, Kennewick, WA. 99338-1195.
2. The property is located in Benton County, south of E Badger Rd, on the west side of S 887 PR SE in Kennewick.
3. The property is zoned Rural Lands 5 (RL-5).
4. The property is currently being used for allowed residential purposes as well as the applied-for dog kennel business.
5. The application for CUP 2021-005 meets the intent and standards of the Benton County Comprehensive Plan.
6. The application for CUP 2021-005 meets the definition, requirements and standards of the Benton County Code, Title 11.
7. The property, application and stated uses meet the requirements and standards of RCW Title 16.08 and RCW 16.52.310.
8. Surrounding Land Uses are similar in nature to the applicant's property: single-family homes with residential accessory uses. All surrounding properties are zoned RL-5.
9. A SEPA checklist was not required for CUP 2021-005.
10. There are no designated critical areas on the property. A critical area report is not necessary for the use or proposed building.
11. Public notice requirements as have been met for CUP 2021-005.
12. Agency comments were received from:
  - a. Kennewick Irrigation District

13. Public comments were received from:
  - a. Neva Cobb-Rathbun
  - b. Terri Carpenter
  - c. Dennis & Joan Hollis
  - d. Gloria Lawson
  - e. Arlie and Tina Gridley
  - f. Travis and Lyndsie Brawdy
  - g. Eileen and Tom Hewitt
  - h. Jody and Steven Henneman
  - i. Rande Giberson
  - j. Danean Canucci,
  - k. Steve Carroll, Paw's Natural Pet Emporium
  - l. Hank Oliver, DVM, Animal Hospital of Pasco
  - m. Joel & Jennifer Mitchell
14. The applicants are requesting a Conditional Use Permit to continue operating "Badger Canyon Aussies"; a commercial kennel and dog breeding business on approximately 1.24 acres in the Rural Lands 5 (RL-5) Zoning District.
15. The site consists of a 3,307 sq. ft. owner-occupied single-family home, a 2,400 sq. ft. shop building, and a 192 sq. ft. converted utility shed with indoor kennels, air conditioning and heat with access to individually fenced and covered outdoor runs.
16. The applicants currently have fourteen (14) adult dogs on site and wish to have that amount going forward. Five (5) of the dogs are personal pets that are housed/kept within the family home and nine (9) are currently housed in kennels throughout the family home and in a 192 sq. ft. converted utility shed with indoor kennels, air conditioning and heat, and access to individually fenced and covered outdoor runs.
17. The proposal includes converting 730 sq. ft of the 2400 sq. ft. shop into seven (7) indoor kennels each with access to its own 5x10' fenced and covered outdoor run. All indoor kennels will be fully heated/air conditioned.
18. All dogs will continue to have access to a fully fenced 19,000 sq. ft. grass area for recreation and relief.
19. The Benton Franklin Health District has reviewed and approved the waste management plan submitted by the applicants.

#### **SUGGESTED CONDITIONS OF APPROVAL:**

1. The ongoing activities on the site shall comply with the submitted site plan and materials submitted for this application.
2. Fencing shall be maintained in good repair and utilized to safely secure the dogs on the applicant's property.
3. Dogs shall not be allowed to run free across property boundaries and shall be kept within buildings or fenced areas.
4. There will be no more than 14 adult dogs at the site at one time.

5. The submitted waste management plan shall be followed for the disposal of animal waste generated by the business.
6. Vehicle parking associated with the activities on the property shall be accommodated on the site. No vehicle parking is allowed in the County right of way.
7. The business shall comply with the Benton County Code Title 11 and RCW 16.52.310 for the life of the conditional use.
8. Future construction or activities associated with this business operation require review under the Benton County Zoning Ordinance. Applicants shall contact the Planning Division prior to any construction or changes in activities on site.

**Time to Complete Conditions of Approval:**

The applicant shall have one year to meet all of the Conditions of Approval.

If the conditions of approval have not been met and the Planning Division does not issue the Conditional Use Permit within one (1) year from the date of this decision, the Hearings Examiner may declare it null and void. Prior to doing so, the applicant shall be notified in writing at the applicant's last known address at least twelve (12) days in advance of the upcoming Hearings Examiner meeting. If the Conditional Use Permit is deemed null and void, the maximum number of animals approved to be on site will be four (4) dogs.

**Transferability**

This Conditional Use Permit is transferrable by a holder. If a new property owner wishes to have a commercial kennel, the new owner must update the Conditional Use Permit application, accept the Conditions of Approval, and be approved by the Planning Manager prior to transfer of the permit being allowed.

**Violations of Conditions of Approval:**

The Applicant shall continue to meet all conditions of this Conditional Use Permit while CUP 2021-005 is in effect.

Any violation of the conditions of approval will be processed in accordance with BCC Title 11, Chapter 11.43 Administration and Disposition of Infractions. If the Conditional Use Permit has been issued and violations exist, the Hearings Examiner may revoke the permit after an open record hearing with notice as set forth in BCC 11.50.050(b), as amended. This condition does not foreclose the County's use of other enforcement mechanisms.



Vicinity map for CUP 2021-005, Badger Canyon Aussies  
Created by Benton County Planning Division

Planning Department

(509) 786-5612  
P.O. Box 910  
Prosser, WA 99350



planning.department@co.benton.wa.us  
Prosser Office: 620 Market Street, 1st Floor  
Kennewick Office: 102206 East Wiser Parkway

CONDITIONAL USE PERMIT APPLICATION

File No. CUP 2021-005

RECEIVED

MAY 04 2021

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Benton Co. Planning Dept.

Name of Applicant/Agent: Oscar & Kellie Garcia  
 Mailing Address: 27804 S. 887 PRSE City: Kenn State: WA ZIP: 99338  
 Phone #1: 509-947-5592 Phone #2: 509-948-8585  
 Email Address(es): garciaok12@yahoo.com  
 Signature: [Signature] Date: 5/4/21  
Kellie Garcia same Date: 5/4/21

Name of Property Owner(s) (if different): \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 Phone #1: \_\_\_\_\_ Phone #2: \_\_\_\_\_  
 Email Address(es): \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*If there are additional owners please copy this section, sign, and attach to the application

If the property is owned by a corporation, trust, partnership or LLC please complete the entity signature block below showing that the person signing has the authority to sign on behalf of the company.

ENTITY SIGNATURE BLOCK

Applicant/Legal Owner name: Oscar Garcia  
 Officer name: same Title: Governor  
 Signature: [Signature] Date: 5/4/21

THE ABOVE SIGNED OFFICER OF (name of entity) Badger Canyon Aussies LLC WARRANTS AND REPRESENTS THAT ALL NECESSARY LEGAL AND CORPORATE ACTIONS HAVE BEEN DULY UNDERTAKEN TO PERMIT (name of applicant) Oscar Garcia TO SUBMIT THIS APPLICATION AND THAT THE ABOVE SIGNED OFFICER HAS BEEN DULY AUTHORIZED AND INSTRUCTED TO EXECUTE THIS APPLICATION.

[Signature]

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

PARCEL INFORMATION

4. Subject property address including city: 27804 S, 881 PRSE, Kennewick, WA 99338

5. Parcel #(s): 1-2188-101-0555-002

6. Acreage: 1.24

7. Access:  County Road  State Road/Highway  Private Road

8. Utilities:

Power:  Benton PUD  Benton REA  Other: \_\_\_\_\_

Sewer:  Septic Tank  City Sewer  Other: \_\_\_\_\_

Water:  Individual well(s)  One well serving 2-4 lots  One well serving 5+ lots  
 City System Provider: Canyon Village Water  
 Private System Provider name and address: PO Box 3637 Pasco, WA 99302

Gas:  No  Yes Provider name: \_\_\_\_\_

Irrigation:  No  Yes Provider name: KLD

9. Current use(s) on property: residential/business

10. What are you proposing to do that requires a Conditional Use Permit? Dog breeding

For the following proposed uses, please attach the appropriate addendum form:  
Business Use, Detached Accessory Dwelling Unit, Child Care Facility (Type B), Bed & Breakfast, Mineral Extraction (Commercial Sand & Gravel), Commercial Kennel, Winery.

11. Additional comments or information: see attached

If further explanation is needed for any of the questions above, please attach additional pages.

(FOR STAFF USE ONLY)

Application Complete:  Y  N

Critical Areas:  N  Y: \_\_\_\_\_

Zoning: R2-5

Reviewed by: Lizy M. Sander

Date: 5/5/2021

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

Description of site plan map-

Proposed shop kennel- it will measure 730 sq. ft. Within that 730 sq. ft, there will be 6 kennels that have dog doors to go outside under a covered lean to that is attached to the shop and they will be 5 x 10 for each run. We have the black nice Costco kennels.

Access-

There will be NO access or traffic to the proposed dog kennel within the shop.

As a business we don't allow potential clients to visit our property. They only come to pick up their puppy in our driveway or we meet them in a public location.

We are very strict about this policy due to the many diseases that can be transmitted like Parvo, Guardia and Coccidia, also Covid.

About Us-

We take great pride as breeders to ensure that our puppies find the best forever homes possible. We turn down people constantly that do not meet our requirements. Our dogs and puppies are our family and we love them more than anything. We are state licensed and AKC approved and inspected. We passed with flying colors and they highly approved of our facility and the way that we maintained our dogs. For the past 5-6 years we have been paying state taxes and revenue with Benton County being the beneficiary.

Feeding Program-

We feed Stella and Chewy kibbles as well as their Raw food. Also, Zignature Kangaroo and Lamb.

Puppies are raised on Goat milk, raw food and kibbles. We also feed every dog and puppy NuVet Plus Vitamins every day.

They are also fed scrambled eggs and whole plain yogurt, as well as fresh fruits and veggies for dinner every night.

No Bark Training-

We train every one of our dogs not to bark at silly things. They all wear a no bark collar when out in the big play area and only 2-3 dogs are out at a time. We rotate them every couple of hours throughout the day between the house and the play area. Our dogs are let outside at 7 am and they are in for bed at 9 pm. We have a strict routine.

We have NEVER had any complaints through the Sheriff or neighbors until now. The neighbor that complained does not like animals at all. He even tried to give me his kids cats. When Covid had us on lockdown, his kids would run up and down the fence line and make our dogs bark. A couple of weeks ago his 8-yr. old and friend were standing at our fence watching our 1 dog bark

at them for maybe 30 seconds. We both were watching what was going on. Dog was called back and came. Just then the man came running along our fence line which is about 50ft, lunging and crouched down, clapping his hands as hard as he could yelling GET GET GRRRR GRRRR. It was quite the sight. He was out of his mind.

This neighbor has had issues with the neighbor directly behind him for a couple of years with their 3-4 dogs barking constantly. He has called the Sherriff on them several times.

We bought a \$900 security system with 8 cameras for the safety of our dogs and us after this man did what he did. It is currently being installed and has motion and sound which will allow us to make sure that our dogs are safe and quiet.

We plan on retiring within the next 1-2 years but because we do love our dogs so much, we want to keep more than just the required 4. They are our family and we would rather move and take our dogs with us if denied the opportunity to obtain the Commercial kennel license.

There are several clients that will write testimonials about us and our program if you would like to hear from them. There are many that have more than just one of our puppies.

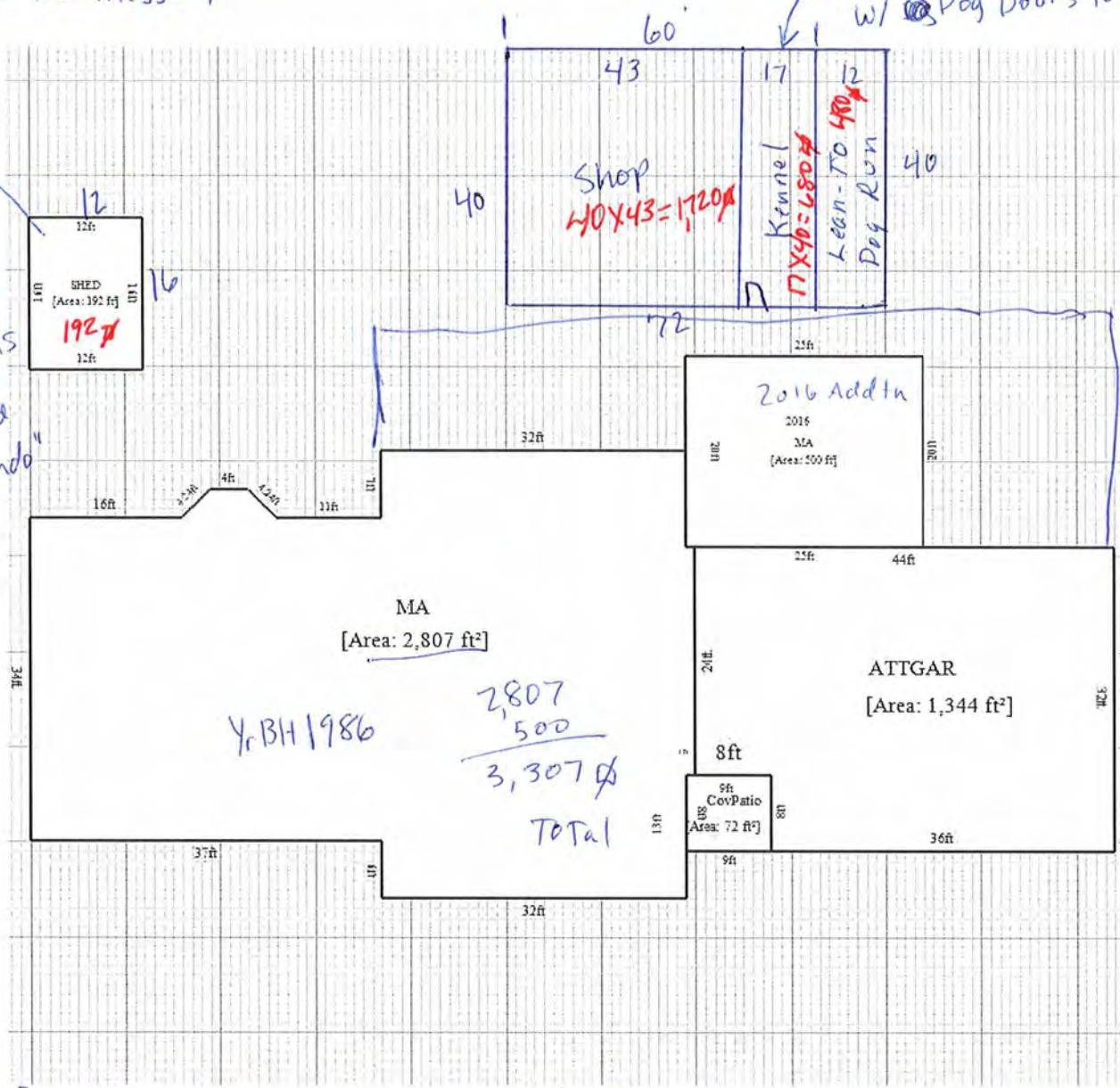
Thank you for reading about us and we would really appreciate your consideration to continue with the approval process for us to keep more than 4 dogs, because it is impossible for us to retire with just 4.

Respectfully,

Oscar and Kellie Garcia  
Badger Canyon Aussies

# Dogs - 14 Total  
 # Pets - 5  
 # Business - 9

2014 Shed  
 Dog Shed  
 2 Kennels  
 Heat/Air Cond  
 "Doggie Condo"



6 - 5X10 Kennels w/ Dog Doors to Dog Run

YrBH 1986  
 2807  
 500  
 3,307  
 Total

Backyard Enclosed by 5' fence.

1-2188-101-0555-002

~~Friday~~ 11:00 AM = Photos - Code Enforcement

Wednesday 5/26/21

W/office - Dale Wilson

28704 S 887 PRSE  
 Kennewick, WA 99338

CUP 2021-005

Oscar + Kellie Garcia

509-947-5592

509-948-8585

"Badger Canyon Aussies, LLC"

5' Wire - wired Top/Bottom -  
 Post - Barrier -

DoL - Breeder Differ/classification  
 Retail

by years -

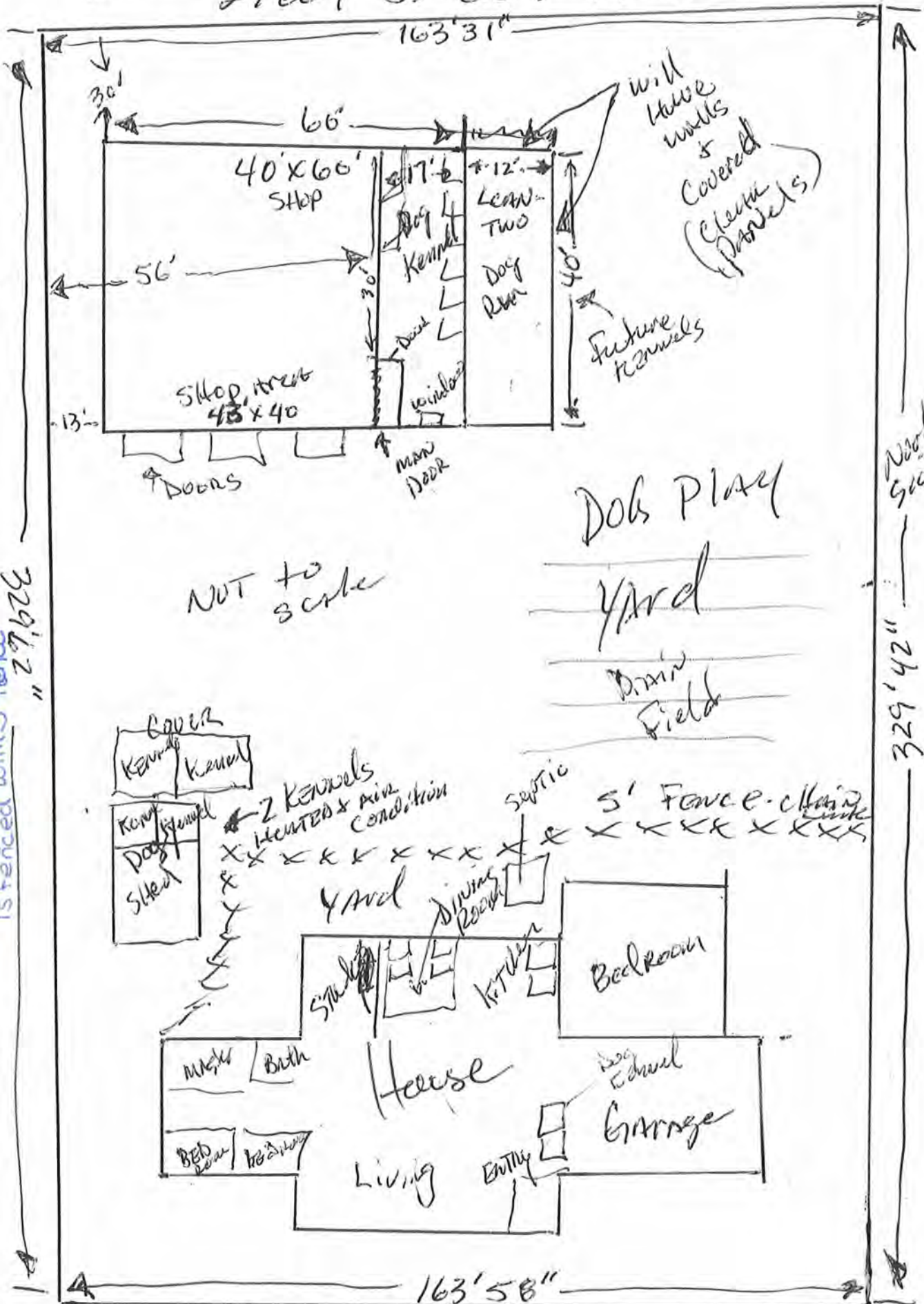
How Long Have been Dba "Badger Canyon Aussies, LLC"?

State Licensed? # of Dogs

AKC status - ? Inspected/certified

Any <sup>Prior</sup> ~~Complaints~~ <sup>(none)</sup> other than Current?

Back PROPERTY - Granddads  
27804 S. 887 PR SE W05T



No water  
ways  
(Community  
well)

will have  
walls  
&  
covered  
(clean  
panels)

Future  
kennels

South  
Side

279,626  
Entire yard behind house  
is fenced with 5' fence

NOT to  
scale

Dogs Play  
Yard

Dining  
Field



2 Kennels  
HEATED & air  
condition

septic

5' Fence - chain  
link

NO Outside  
ACCESS

North  
Side

329'42"

ENT

163'58"

887 - Front of property





# ON-SITE SEWAGE DISPOSAL SYSTEM CONSTRUCTION INSPECTION REQUEST ENVIRONMENTAL HEALTH

800 West Canal Drive  
Kennewick, WA 99336  
(509) 582-7761, Ext. 246

310 7<sup>th</sup> Avenue  
Prosser, WA 99350  
(509) 786-1633

DATE OF REQUEST: 06/27/00 COUNTY: Benton CITY/AREA: Kennewick  
 TYPE OF SEWAGE SYSTEM: CONVENTIONAL GRAVITY FLOW  ALTERNATIVE SYSTEM \_\_\_\_\_  
 TYPE OF PERMIT: NEW \_\_\_\_\_ REPAIR \_\_\_\_\_ 2 COMPONENT REPAIR \_\_\_\_\_ ALTERATION/EXPANSION   
 TYPE OF STRUCTURE: SINGLE FAMILY HOME  {Site Built  Manufactured \_\_\_\_\_} Number of Bedrooms 4  
 NON-RESIDENTIAL \_\_\_\_\_ TYPE OF BUSINESS \_\_\_\_\_ DESIGN CAPACITY \_\_\_\_\_ Gpd  
 BUILDING SEWER CONNECTED TO SEWAGE DISPOSAL SYSTEM: YES  NO \_\_\_\_\_ Section 21 Township 08 Range 28  
 PERMITTEE'S NAME: Ed Dennis BUILDER/CONTRACTOR \_\_\_\_\_  
 PARCEL IDENTIFICATION NUMBER: 1-2188-101-0555-002  
 PROPERTY ADDRESS (Include nearest County road) 27804 S. 887 PR SE off Badger Rd.  
 LEGAL DESCRIPTION OF PROPERTY Lot 2, Short Plat 555

### SEWAGE SYSTEM DATA

- SEPTIC TANK Existing gallons CONCRETE  OTHER (specify) \_\_\_\_\_
- PUMP CHAMBER \_\_\_\_\_ dose volume \_\_\_\_\_
- DRAINFIELD 1080 square feet
- ABSORPTION BED \_\_\_\_\_ square feet
- OTHER \_\_\_\_\_ square feet

SYSTEM INSTALLER Rada & Sons

TYPE OF WATER SYSTEM:

SINGLE FAMILY WELL \_\_\_\_\_

NAME OF MUNICIPAL OR COMMUNITY SYSTEM

Canyon Village Water System

MAIL REPORT TO:

Ed Dennis Rada & Sons  
27804 S. 887 PR SE 2707 E. Lewis  
Kennewick, WA 99338 Pasco, WA 99301

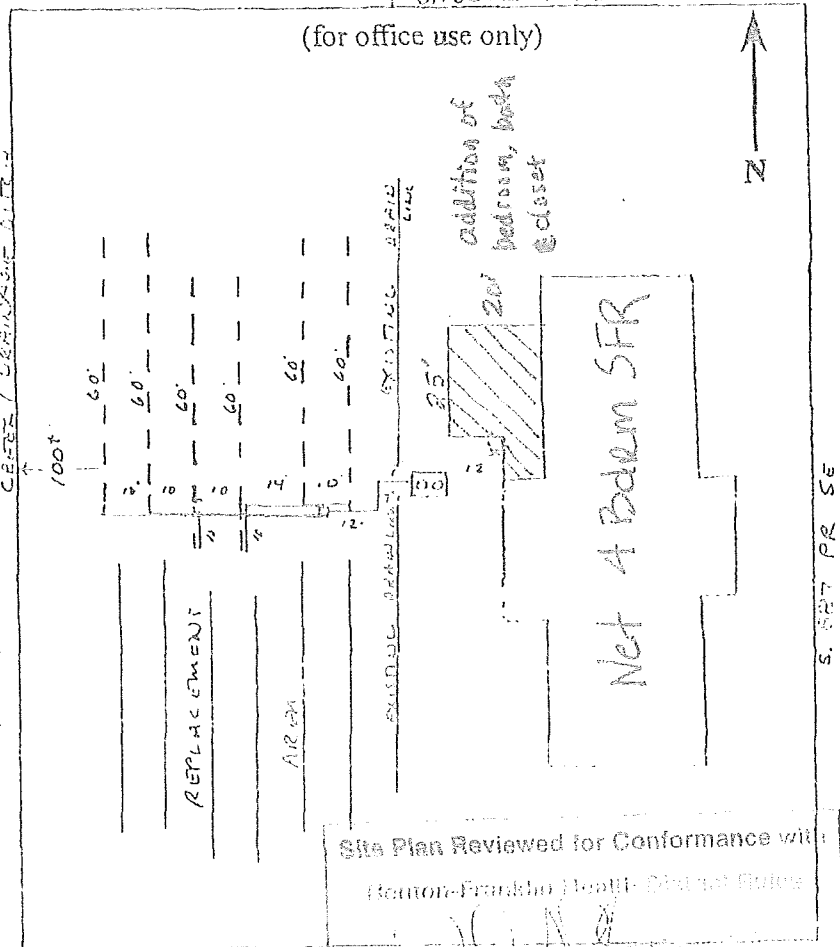
INSPECTED BY Joni S. Pawlke

DATE OF INSPECTION 07/07/00

The Benton-Franklin Health District recommends that septic tanks be pumped every 3 to 5 years

CAUTION: Damage can easily occur if vehicular traffic takes place over the system.

cc: Benton County Building Dept.



Site Plan Reviewed for Conformance with  
 (Benton-Franklin Health District Rules)

19389 PERMIT NUMBER  
 Date 7/23/00

## Badger Canyon Aussies

This is the breakdown of the number of dogs that we currently have:

Pets – 5

Business – 9

Total = 14

As of now we have 14 total dogs, 5 which are house pets and the location of the other 9 that are related to our business....7 will be in the shop and 2 in the shelter that is located in the doggie condo.

Our plan is in the next 1-2 years, retire and rehome some of our dogs but not all of them. We may want to keep 5 or 6 and that is why we are applying for this kennel permit also. Some of them are our “Kids” plain and simple. If we are denied this permit to keep our beloved dogs then we will move from this county.

Waste Plan –

Our dog’s solid waste is picked up several times a day, which includes the kennel area and their play yard. We have steel containers with lids and plastic bags throughout the property where we place the solid waste and then transfer it to our trash cans right before garbage day to eliminate any odors that the neighbor’s might smell. The urine is washed off the concrete in their kennels daily and into a gravel area. It is nowhere near our septic tank our drain field or any water source. We spoke to the health dept (we were told by the planning dept that we needed to) and they stated that because we are not around any water source etc. that we are not required to do anything. Their main concern is human waste and not animal.

After speaking to the Fire Marshal within your Dept, we are only required to place a fire extinguisher within the shop area where the dogs will be housed. We will place a full sized fire extinguisher right inside the main door for easy access.

Respectfully,

Oscar and Kellie Garcia  
Badger Canyon Aussies, LLC

## April Brown

---

**From:** Oscar <garciaok12@yahoo.com>  
**Sent:** Tuesday, May 4, 2021 1:35 PM  
**To:** April Brown  
**Subject:** [EXTERNAL] Fwd: Pictures

EXTERNAL EMAIL WARNING!!!: This email originated from outside of Benton County. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Sent from my iPhone

Begin forwarded message:

**From:** Oscar <garciaok12@yahoo.com>  
**Date:** May 4, 2021 at 12:18:44 PM PDT  
**To:** Kellie Garcia <garciaok12@yahoo.com>  
**Subject:** Pictures





Sent from my iPhone

From: Neva Cobb-Rathbun neva@harveyinsurance.com  
Subject: Badger Canyon Aussies  
Date: May 6, 2021 at 10:14 AM  
To: garciaok12@yahoo.com

Good Morning,

I am writing this on behalf of my neighbor, Kellie Garcia. We live catty corner from each other, with a shared fence. We have absolutely no problem with her raising dogs or having a dog kennel. The only time you ever hear her dogs are when they're playing during the day. They are not heard in the mornings or at night. We have had issues with her neighbor that is directly behind us for several years. Joel Mitchell has harassed us for years until we put our 2 dogs down. He has told us over and over that he does not like dogs and that we do not live in the country, that we live in the "SUBURBS". He has video taped our property several times, until we've had to report him. All of the surrounding neighbors have dogs. I do not see any issues with Kellie's dogs.

*Neva Cobb-Rathbun*

Health, Life and Medicare Agent



HARVEY  
INSURANCE  
AGENCY



CONFIDENTIALITY NOTICE: The information contained in this message is attorney privileged and confidential information intended only for business of the individual or entity whose name is on the header of this message. If the user of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender and delete this message. Thank you.

RECEIVED

MAY 06 2021

Benton Co. Planning Dept.

From: Terri Carpenter [grammatc@hotmail.com](mailto:grammatc@hotmail.com)  
Subject: Dogs  
Date: May 5, 2021 at 5:05 PM  
To: [garciaok12@yahoo.com](mailto:garciaok12@yahoo.com)

To whom it may concern:

We are the Carpenters, We live across the street from Oscar and Kelly Garcia. Our address is 27805 S. 887 Prse. We have lived across the street from the Garcia's for many years and have found them quiet respectful neighbors. They are friendly to all of the neighbors., and have helped when asked. They have animals as most of the people in badger canyon do. We have never been bothered by the dogs they have. Their dogs are clean and well taken care of. We have noticed the dog food is shipped in by fed-ex and their animals have regular vet visits. We have not noticed any excessive barking or noise. They are building a large shop to help keep their dogs comfortable. They keep their yard clean of messes and odor.

Thank you Dick and Terri Carpenter. 1 509- 396-5123

Sent from for Windows 10

RECEIVED

MAY 06 2021

Benton Co. Planning Dept.

**From:** nwcsi002@gmail.com  
**Subject:** Neighbors  
**Date:** May 6, 2021 at 7:04 AM  
**To:** garciaok12@yahoo.com

To Whom It May Concern,

Oscar and Kelly have been our neighbors for over 9 years and we have a good relationship and have helped each other out as needed, as neighbors do.

Oscar and Kelly have been very thoughtful about their animals and we have no complaints. We appreciate their dedication and thoughtfulness with their animals.

We are very fortunate to have the neighbors we have on each side of us.

Dennis & Joan Hollis  
28004 S 887 PR SE  
Kennewick, WA 99338

**RECEIVED**

**MAY 06 2021**

Benlon Co. Planning Dept.

May 5, 2021

To Whom It May Concern,

I am writing to offer my complete support to Oscar and Kellie Garcia and Badger Canyon Aussies. My family and I live two doors down from them on 887 PR SE in Badger Canyon. We have no problem with them or their dogs. We have chosen to live in the neighborhood that we do because of the opportunity to have animals. We have dogs, goats and a cat. This is what drew us to this rural area.

We do, however, have a problem with the noise that the neighbor, Joel Mitchell, between our home and the Garcia's, makes with his backyard auto shop. (Licensed? Permits? Legal?) He has machinery running at all hours of the day and well into the evenings. He has large transport haulers blocking the road and driveways delivering and picking up vehicles. Is this legal?

I will fully support Badger Canyon Aussies in their business endeavor. Please feel free to contact me if necessary.

Gloria W. Lawson  
27104 S 887 PR SE  
Kennewick, WA 99338  
(509) 366-0669  
muffysue@hotmail.com

RECEIVED

MAY 06 2021

Benton Co. Planning Dept.

**HEM 1.8**

**From:** Arlie Gridley arlie196026@gmail.com  
**Subject:** Puppies  
**Date:** May 4, 2021 at 11:12 PM  
**To:** garciaok12@yahoo.com

Good evening Oscar & Kellie,

Just a note on that you may have dogs on your property. News to me, I have never heard or even seen a dog when walking by your home. We walk the road to exercise our selves and our dogs. Not sure who needs it the most??? I also tend to be a bit of a night owl and still hear no barking from the direction of your home regardless of the time of day or night.

If you do have dogs I would never know it and still even better our dogs don't know it. Trust me when we walk them. They are looking as most little dogs do with big dog attitudes. It is pleasure to have you in our neighborhood. Should anyone have any question whatsoever please send them to me. I would be more than glad to answer any question that they may have. My wife and I been on this street going on 20 years now and would find it very disappointing to have nonsense coming about the neighborhood.

Our best wishes and prayers.  
Arlie & Tina Gridley  
509-820-5671

**RECEIVED**

MAY 06 2021

Benton Co. Planning Dept.

To whom it may concern,

We are a new family of 3 that live at 27205 S 887 PR SE Kennewick, WA 99338. We have lived here for a year now. Our house is located across the street and over one house to the left of Oscar and Kellie's house. Oscar and Kellie are very thoughtful neighbors and we NEVER hear their dogs barking. They are very helpful and kind. This winter I was pregnant, and Oscar even came over with their tractor and cleared the snow off our driveway for us since I was unable to do so. With all the work they have with their dogs, for him to stop his day and do that for us was quite amazing. We are so grateful to have such kind neighbors all around us, except for Mr. Mitchell. Besides the neighbors directly in front of us... The Mitchel family has never been welcoming since moving here. We now have a 4-month-old baby. We are never disturbed by Oscar and Kellie's dogs. We've been outside and walked up and down the street and my daughter has never been woken up or disturbed by any dog barking. She is more likely to be bothered by a loud car engine than any of Oscar and Kellie Garcia's dogs.

I like that there is a small business across from us. It is important for people to live out their dream, help provide for their family and assist other families add something positive to their lives. I think they are doing a great thing by helping families add new furry members to their household. Getting a puppy is a great gift and such a happy and positive addition to families. They do everything right and really care about their dogs. My husband and I have talked about purchasing one of their dogs in the future. We hope to do that soon! Oscar and Kellie have done so many outstanding things with their business and has helped so many people including veterans. Some of their dogs are even service dogs which really warms my heart. Someone so caring and compassionate should not be harassed into quitting their business because of one uncivil person!

I do not think just because one RUDE neighbor complaining about their dogs should result in them quitting or possibly moving! That is not right. The dogs are not a nuisance at all! The real neighborhood annoyance is Mr. Mitchel who is the complainant about the dogs. He is so loud with his cars. He does not work and is a stay a home dad who defiantly lacks in the dad department with how his children act. His children go to school with my nieces and his kids have asked if they could play with them when visiting, and my nieces said, "no thank you". When I asked them about it, they said, "those kids are not nice". Mr. Mitchel comes and goes all day and all night long. He also has random people coming over to his house all the time with trailers picking up and dropping off junky cars. It makes me feel pretty unsafe with so much traffic and strangers with having a young daughter growing up here. I should feel safe with her eventually playing in our yard and at our house, but with them around I do not!

I have had a few negative encounters with him and his disrespectful children. I am a teacher and I would never want his kids in my class! I pray for their teachers. They trespass on our property and have rode their bikes on our loop around drive way many times. They shoot out into the road on their bikes and have almost been hit by cars. I have gone out and stood there so they would stop riding their bikes on our property. It is EXTREAMLY dangerous and I do not want to be liable for his unruly kids getting hit by a passing car. We have had to put up no trespassing signs at the front of our driveway. Mr. Mitchel is so unpleasant that when he has

**RECEIVED**

MAY 06 2021

missed the garbage truck he comes over and puts his garbage in front of our house. I have since told him not to do that. It is very presumptuous given that he is so impolite.

I haven't had any positive encounters or conversations with anyone in the Mitchel household since moving here. It is a real shame since our other neighbors are so kind. We moved out here to have more space in the country and I've felt more uncomfortable than ever having to live across the street from Mr. Mitchel and his family. They are the ones who you drive by and try not to make eye contact with as you scurry up your driveway and into your house in order to avoid conflict.

Again, I do NOT think that Oscar and Kellie Garcia with Badger Canyon Aussies should be shutdown. They are extremely considerate when it comes to their dogs, they will ask if we hear any barking and if we do to let them know. They have a stunning set up that they have spent plenty of money to make sure that their dogs have the best life. Their dogs are very health and well feed that we have seen the VET make several house calls to attend to the well-fair of their dogs. It is obvious they treat the dogs like they are their kids. They are extremely hard-working people who deserves to continue making families feel complete and overjoyed by adding one of her puppies to their home.

Sincerely,

Travis & Lyndsie Brawdy  
5/6/21

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MAY 21 2021

Benton Co. Planning Dept.

May 21, 2021

Eileen and Tom Hewitt  
28003 S. 887 Pr SE  
Kennewick, WA 99338  
(509) 551-3737

**HEM 1.10**


Officer Dale Wilson  
Benton County Code Enforcement  
PO Box 910  
Prosser, WA 99350

RE: In support of Oscar and Kelly Garcia 27804 S. 887 Pr SE, Kennewick, WA 99338

Dear Officer Wilson,

The purpose of this letter is to express our experience of living across the street from Oscar and Kelly Garcia. We have lived across the street from the Garcia's for the past 7 years. Our experience has been that Oscar and Kelly are very quiet, polite, and helpful neighbors. We never hear noises of any kind coming from their property. They keep their property up very well and the animals they have at their home are well managed. We are aware that the Garcia's raise Australian Shepard dogs on their property, however we never hear their dogs barking. We occasionally see the Garcia's in the front of their property walking the dogs and socializing them. Their dogs have never run loose in the neighborhood or have caused us any concern. In our opinion, the Garcia's are very responsible pet owners and do their best to respect the peace and quiet of the neighborhood.

Sincerely,



Eileen and Tom Hewitt

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MAY 21 2021

Benton Co. Planning Dept.

To Whom it May Concern,  
5/8/2021

Our Names are Jody and Steven Henneman and we are writing this letter in regards to Kellie and Oscar Garcia.

We met Kellie and Oscar in December of 2020 when we were looking for a new puppy. We had lost our Australian Shepherd unexpectedly and we saw that they lived close by and had a couple of puppies available. We started talking and right away I could tell this was a good choice! They take amazing care of their animals and, unlike a lot of other breeders I had looked into, they run a very clean and well maintained home. We have gotten 2 dogs from Oscar and Kellie and they bring so much Joy and Fun into our house. They are truly a blessing to us!

What started out as a business transaction has developed quickly into a Friendship. We, as a family, don't always trust easily but I can tell you that we trust them. They are Honest, Considerate, Dependable, Hard Working members of the community and we consider ourselves lucky to have them in our lives!

Sincerely,

Jody and Steven Henneman

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MAY 21 2021

Benton Co. Planning Dept.

From: Rande Giberson randeg@icloud.com  
Subject: My pup, Hayley  
Date: May 9, 2021 at 11:27 AM  
To: garciaok12@yahoo.com

HEM 1.12

Hi Kelli and Oscar,

I hope you two are doing well and staying safe. I wanted to drop you a note to update you both on my pup, Hayley, that I received from you on 12/29/20.

After being duped by Desert Willow Aussies, I was actually quite paranoid in searching for my next Aussie pup. I had reached out to other breeders but there seemed to be a lack of transparency. Some I couldn't even meet the parents or get any health history. I finally gave up and decided, if it was meant to be, it will be.

After months of searching, I went to another website and luckily found you and Oscar. I completed your application and called you the next day. After a 2.5 hour interview, it was decided that Hayley and I would be a good fit.

On 12/29/20 I flew from Palm Springs to Pasco to pick up my girl. When I arrived at your home, I was greeted warmly and presented with my beautiful Aussie pup. I then asked to meet all your dogs so I could get an impression of how Hayley might look when she grew up. Unfortunately, my request was declined due to COVID-19. I understood. After you offered to show me a few videos of your dogs, that was sufficient as I saw how well behaved they all were. In one video you both were playing with a few of your adult dogs and they just seemed so happy. One thing I noticed was that they weren't barkers. Barking to defend me is one thing but to bark at the wind is another. I was relieved to know that Hayley would most likely not be a barker. The good news is, Hayley never barks! Yay! I also paid close attention in the video as to how the interacted with one another and to be honest, how they were groomed if at all. They were all so beautiful, happy, and with beautiful coats. When you told me that you never let your puppies outside, that sealed the deal for me. I don't know how you can manage having little pups staying inside the home until they are presented to their new owners. I couldn't do it but it did tell me how responsible you both are and to the dedication you have to providing their new owners with healthy pups.

Hayley is my bundle of joy. She loves people, dogs, cats, and even kids. She's a very happy go lucky girl that just wants to love everyone. She loves to play with dogs, swim in the pool, and go for long walks. She wiggles her tail even while in the car if she sees another human. She is a kind soul.

Thank you both for breeding social and beautiful pups for others to enjoy and love for many years. I am very grateful to you both as I just don't know what I would do without my Hayley.

Just a side note, I have recommended you both to many folks searching for a well bred Aussie. Hope you don't mind.

Cheers to you both and thanks again for my sweet pup.

Rande Giberson  
Sent from my iPad

RECEIVED

MAY 21 2021

Benton Co. Planning Dept.

From: **Danean** daneanc@gmail.com  
Subject: character reference letter  
Date: May 8, 2021 at 8:48 AM  
To: garciaok12@yahoo.com

**HEM 1.13**

To whom it may concern

I wanted to write this letter regarding Kellie and Oscar Garcia. My husband and I met Kellie and Oscar about 7 years ago. We adopted our dog from them. It is because of their great care and love for their puppies, that our dog is the best dog ever! He is part of our family almost like a child!!! You can tell that he was treated with great love and kindness as a little puppy. We are so grateful to them for that.

I have also had the privilege of being personal friends with Kellie. Kellie and I talk almost everyday either by text or phone. Kellie is probably the kindest person I know. She is extremely caring and compassionate and is constantly going out of her way to help others. Oscar too, being in law enforcement, has a huge servant's heart. I know of many occasions where he helped his neighbors with big projects, not to mention the thousands of people he has helped over his career in law enforcement. Kellie and Oscar have even welcomed Kellie's mother into their home where they provide for her needs. Their kindness knows no bounds!

The Garcias are just the most thoughtful people ever. To animals as well as people! Anyone who knows them is truly lucky.

If you have any questions, please don't hesitate to contact me.

Sincerely,  
Danean Canucci

--  
Danean Canucci

cell 503-516-7656

**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wiser Parkway  
[www.co.benton.wa.us](http://www.co.benton.wa.us)



**Planning Division**

(509) 786-5612  
P.O. Box 910, Prosser, WA 99350  
[planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us)

**HEM 1.14**

May 6, 2021

Oscar and Kellie Garcia  
27804 S. 887 PR SE  
Kennewick, WA 99338-1195

Via email to: [Garciaok12@yahoo.com](mailto:Garciaok12@yahoo.com)

RE: Written Determination of Completeness  
File Number: CUP 2021-005

Dear Applicant,

This office is in receipt of your application for a Conditional Use Permit to allow you to operate a commercial kennel and dog breeding facility at 27804 S 887 PR SE in Kennewick, Washington. The Planning Division has determined that the required materials have been submitted and the application is complete. A file number has been assigned (CUP 2021-005) and the review process will now begin.

Although this office has determined that your application is complete, more clarification or information may be needed from you during the review process. If additional information is required, it will need to be submitted to our office before the item can be heard at the hearing before the Hearings Examiner. Prior to any hearing on your project, you will receive a public hearing notice and a staff memo.

Additional information and/or permits may be required from other agencies including, but not limited to, the Benton County Building Division, the Benton-Franklin Health District, the Benton County Public Works Department, or the Washington State Department of Health.

If you have any questions regarding this matter, do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peter McEnderfer", is written over a horizontal line.

Peter McEnderfer, Associate Planner  
Benton County Community Development Dept.  
Planning Division

**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wiser Parkway  
[www.co.benton.wa.us](http://www.co.benton.wa.us)



**Planning Division**

(509) 786-5612  
P.O. Box 910, Prosser, WA 99350  
[planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us)

**HEM 1.15**

May 7, 2021

Benton County Public Works Department  
Benton-Franklin Health District  
Benton County Fire District #1  
Benton County Building Division  
Benton County Fire Marshal  
Benton County Code Enforcement  
Kennewick Irrigation District

**RE: Agency review of Conditional Use Permit application**  
**File #: CUP 2021-005**

Attached is a Conditional Use Permit application from Oscar and Kellie Garcia with attachments for your agency's review. Mr. and Mrs. Garcia are requesting permission to operate a commercial kennel and dog breeding facility.

The 1.24 acre site is located 27804 S 887 PR SE in Kennewick, Washington, 99338, in Section 21, Township 8 North, Range 28 East, W.M.

PLEASE SUBMIT YOUR COMMENTS, referencing file number **CUP 2021-005**, to [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us) by May 21, 2021. If you have any questions or need more time to review the application, please contact the Planning Division at (509) 786-5612 or to the email above.

Thank you!

Benton County Planning Division

**From:** Clark Posey  
**Sent:** Friday, May 7, 2021 3:33 PM  
**To:** Planning Department  
**Subject:** RE: Agency review request - Commercial Kennel at 27804 S 887 PR SE

**Categories:** Printed

GARCIA OSCAR A & KELLIE A DIXON  
Parcel # 1-2188-101-0555-002

27804 S 887 PR SE  
CUP # 2021-005

## **Fire Marshal has no comment on this Dog Kennel Application.**

Thank you,

Clark

**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Friday, May 7, 2021 2:45 PM  
**To:** Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Rod Worthington <Rod.Worthington@co.benton.wa.us>; Clark Posey <Clark.Posey@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Jeff Liner <Jeff.Liner@co.benton.wa.us>; Jordyn Reimer <Jordyn.Reimer@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>; lonnie@bentonone.org; Fire District # 1 - Scott <scott@bentonone.org>; Fire District #1 - Billie <billie@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>  
**Subject:** Agency review request - Commercial Kennel at 27804 S 887 PR SE

Agencies,

Please see the attached information for your review.

Thank you

April L. Brown  
Permit Technician, Planning Division  
Benton County Community Development Department  
(509) 786-5612

Website: [co.benton.wa.us](http://co.benton.wa.us)

Kennewick Office: 102206 East Wiser Parkway

Prosser Office: 620 Market Street (Prosser Courthouse, 1<sup>st</sup> Floor)



April Brown

**From:** Cristina Woods  
**Sent:** Tuesday, May 11, 2021 3:22 PM  
**To:** Planning Department  
**Subject:** RE: Agency review request - Commercial Kennel at 27804 S 887 PR SE

Good afternoon

Public Works has no comments.

Thank you



Cristina Woods, MS • *Engineering Tech III*  
Benton County Public Works  
102206 Wiser Parkway , WA, 99338  
[cristina.woods@co.benton.wa.us](mailto:cristina.woods@co.benton.wa.us)  
(509) 786-5611

**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Friday, May 7, 2021 2:45 PM  
**To:** Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Rod Worthington <Rod.Worthington@co.benton.wa.us>; Clark Posey <Clark.Posey@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Jeff Liner <Jeff.Liner@co.benton.wa.us>; Jordyn Reimer <Jordyn.Reimer@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>; Lonnie@bentonone.org; Fire District # 1 - Scott <scott@bentonone.org>; Fire District #1 - Billie <billie@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>  
**Subject:** Agency review request - Commercial Kennel at 27804 S 887 PR SE

Agencies,

Please see the attached information for your review.

Thank you

April L. Brown  
Permit Technician, Planning Division

Benton County Community Development Department  
(509) 786-5612  
Website: [co.benton.wa.us](http://co.benton.wa.us)  
Kennewick Office: 102206 East Wiser Parkway  
Prosser Office: 620 Market Street (Prosser Courthouse, 1<sup>st</sup> Floor)





2015 South Ely Street  
Kennewick, WA 99337  
Customer Service 509-586-9111  
Business 509-586-6012  
FAX 509-586-7663  
[www.kid.org](http://www.kid.org)

May 20, 2021

**HEM 1.18**

April Brown  
**Benton County Community Development Department**  
P.O. Box 910  
Prosser, WA 99350

Subject: Review Comments for CUP 2021-005

Dear Ms. Brown:

The Kennewick Irrigation District has received your Conditional Use Permit Application submitted by Oscar and Kellie Garcia, 27804 S 887 PR SE, Kennewick, WA 99338 for running a dog breeding/kennel service. This project is located at 27804 S 887 PR SE, Kennewick, WA 99338.

1. This parcel is within the Kennewick Irrigation District (KID) boundaries and is considered irrigable lands; therefore, the Kennewick Irrigation District assesses them.
2. Please note that permanent structures are not allowed within irrigation easements.
3. Please protect all existing irrigation facilities.

If you have any questions regarding these comments, please contact me at the address/phone number listed above.

Sincerely,

*Blaine Broberg*

Blaine Broberg, EIT  
Staff Engineer

C: LB/correspondence/File: [21-08-28]

**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wisser Parkway  
[www.co.benton.wa.us](http://www.co.benton.wa.us)



**HEM 1.19**

P.O. Box 910, Prosser, WA 99350  
[planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us)

**NOTICE OF OPEN RECORD HEARINGS**

**NOTICE IS HEREBY GIVEN** that the following applications have been proposed to the Benton County Hearings Examiner for Benton County, Washington.

**CUP 2021-005 Applicants: Oscar and Kellie Garcia**

The applicants are requesting a Conditional Use Permit to operate a commercial kennel and dog breeding business with a fourteen (14) dog capacity on approximately 1.24 acres in the Rural Lands 5 (RL-5) Zoning District at 27804 S 887 PR SE, Kennewick, WA.

**CUP 2021-006 Applicant: John Dicknite**

The applicant is requesting to change an existing dwelling into a detached Accessory Dwelling Unit at 109105 E 245 PR SE in Kennewick, WA.

**NOTICE IS GIVEN** that the Benton County Hearings Examiner will hold an open record public hearing for the above stated applications on Friday June 18, 2021 at 10:00 am.

Due to the ongoing and unprecedented COVID-19 emergency, participation in this meeting will only be offered virtually. All concerned persons may virtually appear and present any support for or objection to an application or provide written testimony to the Hearings Examiner in care of the Planning Division on or before the date of the hearings. Written testimony may be submitted to: Benton County Community Development Department, Planning Division PO Box 910 Prosser, WA 99350. Any information submitted to Benton County is subject to the public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other laws that may require the release of the documents to the public.

**To find information on virtual attendance options, including streaming video, Webex video conferencing and telephone, please visit [www.tinyurl.com/BCPublicNotice](http://www.tinyurl.com/BCPublicNotice)**

If you wish to provide comments on any of the actions before the Hearings Examiner, we ask that you please fill out our online form (found at <https://tinyurl.com/testifyform>) and submit your request to our office. **You must submit a request form to participate for each hearing that you wish to attend.** If you prefer to make the request by phone, please call our office at (509) 786-5612 and we can add you to the list for providing testimony. At the meeting the names of those wishing to testify will be called out and at that time you will be able to present your comments/concerns regarding the specific agenda item. We do ask that participants please limit background noise or mute their line to prevent any unnecessary interruption to the meeting.

If you have questions regarding any of the land use proposals listed or have questions about submitting comments or attending a virtual hearing, please contact the Planning Division at 509-786-5612 or visit our offices. In Kennewick, we are located at 102206 E. Wisser Parkway. In Prosser,

Dated this 28<sup>th</sup> day of May 2021

SUSAN E. DRUMMOND  
Benton County Hearings Examiner

GREG J. WENDT, Director  
Benton County Community Development Department  
Planning Division

PUBLICATION DATE: June 2, 2021

## HEM 1.20

To whom it may concern,

My name is Steve and I have run Paw's Natural Pet Emporium for over 8 years and have known Kelly Garcia for most of that time. She purchases her food and supplies here keeping the local economy alive and thriving and has always been a pleasure to serve. She feeds some of the best foods on the market and the quality of her dogs are her upmost concern. She feeds her dogs hundreds-thousands of dollars of food a month when she could cut that down drastically by feeding lesser quality foods. The choice to feed her pets a high-quality food and not cheap out is a primary reason her dogs are as healthy and smart as they are.

I also personally deliver food to her house on a semi-regular basis and can say that never have I heard a dog bark, smelled a mess you would associate with dogs, nor have I seen anything other than a clean well-kept property. I have personally wanted to get one of her puppies but had not had a chance as her puppies are well sought out due to the high quality of her animals. Out of the many puppies that have gone to a new home that still shop here, not one has ever had a complaint nor any health issues with her puppies, which is why I can feel confident recommending her and her puppies to customers.

Many of her dogs stay here in the Tri-Cities and a good portion of them visit our store on a regular basis. I can say that her dogs are some of the healthiest and best bred that I have come across. These are her babies, and she ensures that they all have what they need and are placed with the proper people. I can say that I know quite a few breeders of dogs across the state and into Oregon but have never seen one that keeps their standards to quite the degree she does without compromise. She does not compromise when it comes to her pets.

In closing I could see no reason not to allow her to continue her breeding as she is doing it properly, humanely, cleanly, safely and with the health and the safety of the dogs as her primary and sole focus. I know that she and her husband are amazing people that treat their dogs and kids and grandbaby all the same, like royalty. I have never thought twice about recommending her and her pups as I am generally against backyard breeders that only care about having a male and female of the same breed and producing puppies for the sole purpose of making money. Kelly has shown with testing, best breeding practices and unmatched care for her pets that it is not only for the money but for growing the breed and showing the best quality traits that are looked for with the pets and future family members she produces.

Thank you for your consideration of my letter,

-Steve Carroll

-Paw's Natural Pet Emporium

RECEIVED

JUN 04 2021

Benton Co. Planning Dept.



# Animal Hospital of Pasco

3012 N Road 92  
Pasco, WA 99301

Tel. 509-545-9949  
Fax 833-830-1238

[www.pascovets.com](http://www.pascovets.com)

## HEM 1.21

May 24, 2021

To Whom It May Concern:

This letter is regarding Kellie A. Dixon-Garcia. Ms. Dixon-Garcia has been a client of our office for more than twenty years. She makes a concerted effort to keep her animals in good health and up-to-date on their vaccinations. I have personally visited her home on multiple occasions to provide on-site veterinary services. Based on my observations, I believe her to be a conscientious pet owner and I have no concerns about her ability to care for the animals she keeps.

Please contact my office if you have any questions about this letter.

Sincerely,

Hank Oliver, DVM

cc: file  
5536/br

**RECEIVED**

JUN 04 2021

Benton Co. Planning Dept.

June 15, 2021

HEM 1.22

RECEIVED

JUN 15 2021

Benton Co. Planning Dept.

We know this is a decision-making moment as to allow or disallow a special use kennel permit for the Garcia's as an exception to the set forth county rules. I would like to express our facts, thoughts and opinions of this situation that may impact the decision to be made. Thank you for taking the time to read through what we have to say as well as a few specific occurrences that have happened.

We are the Mitchell family, we are a family of 5 including our three young boys Canton age 7, Beckett age 13 and Grason age 15. We have lived in this neighborhood now for about 10 years. Our house adjacent to the Garcia's who are applying for the kennel permit and our properties' share a long common property line which has a short run of chain link fence and a long run of 4ft farm wire fence. The Garcias moved in a few years after we did. It was very obvious they had a love for animals from the very start. What started as having a few dogs as pets turned into having a handful of dogs as pets and then into having dogs to make money. As the number of dogs grew so did the nuisance and the stress and problems. Over that past several years we have faced many frustrations with the level of dog nuisance with relation to our direct neighbors. In the 3 lots that touch ours there have been upwards of 18 dogs now for some time. 4 on one side 3 behind and the Garcias with the rest. At times the Garcias have been very proactive in keeping their dogs reasonably quiet but in the past couple years as their dog business has grown the noise level and other situations have worsened. At one point the Garcias were using dog bark collars but that didn't last all that long maybe a couple months. We never really spoke our true opinion to the Garcias as we were really trying to not cause tension between neighbors. On top of that Oscar Garcia is a law enforcement officer and for some reason we felt intimidated or scared to say anything.

Our relationship with the Garcias changed on Sept. 8, 2019, when our kids were outside in our back yard playing tag with Amber Johnsons kids from up the street. The kids were running around our property playing tag and occasionally running behind our shop down the fence line that is shared with the Garcias. This caused 4/5 of their dogs to become active at the fence line barking and raising commotion. Our kids tell us Oscar came out and yelled at them telling them to go play somewhere else. (SEE ATTACHED LETTER FROM OUR SON) The kids said he was yelling and using words that were not appropriate. The kids tell us they continued playing and again at one point went down the fence line and Oscar yelled again. Shortly after the kids were up in the front gravel drive near the Garcia's property and Oscar with his big Boxer dog at his side yelled at them to stop. He then proceeded to yell at all the kids telling them if they do not go play somewhere else that he will let his dog on them. Again, his choice of words and him yelling was in no way appropriate towards children. The Johnson family kids ran home to tell their mom what happened, and she contacted us to see if we had confronted Oscar. All 3 of our boys ran inside the house and told mom what had just happened. Shortly after Jennifer Mitchell went over and confronted Oscar and Kelly on what the kids had just come and told her. She immediately got intimidated by both Oscar and Kelly stating our kids are liars and they would never do something like that. They also used my husband is an officer and..... Jennifer said "I believe what my kids are saying as they have no reason to make something like this up." Since that point that we questioned their actions, they have been totally different people towards our family. They became very inconsiderate allowing their dogs to be loud annoying nuisances. So bad that our mental health and sanity has been challenged.

Now that the Garcia's care to keep their dog kennel within reasonable tolerance has diminished.... On May 19<sup>th</sup> 2020 waking up to the Garcias dogs whining and barking around 7am.... Lying in bed listening to it for more than 30 mins Joel decided to send here a text message saying it's time for them to have

quieter dog. (SEE ATTACHED TEXT THREAD WITH KELLY GARCIA) We could not believe she responded that way! Immediately attacking and making things up like nothing is their fault. From this day forward the Garcias have made no noticeable effort to quiet their kennel. Specifically, a couple weeks after the back and forth text messages the Garcias built a 2 dog fenced kennel right on the property line as close as you could get to our house. 23 steps from our bedroom window. They put their two loudest dogs in this kennel, and we never once heard them try and quiet them. This is directly next to where our youngest boy has his special place... his fort that he thought was so cool. If my son went into this area the dogs would bark and jump on the fence as if they wanted to attack our son. He was afraid to even go near there anymore, and we just told him to play somewhere else which he really made him sad. We see no other reason why they would have put this 2-dog kennel where they did except for spite of calling them out on how they yelled and threatened the children and friends.

Time passes and we are not speaking with the Garcias and the noise level had continued to grow and lack of care to quiet was obvious. On March 16<sup>th</sup> our 13 year old was hiding playing hide and go seek on our property. Our youngest boy Canton 7 and two young girls from a couple houses down Sage 7 and Sierra 4 were seeking my 13 yr old son Beckett. I was inside the house on the couch and heard several dogs going crazy from Garcias place. I went outside to see what was going on and I see the 3 young kids were over near our shed looking for Beckett. The kids started going down the side yard between the fence and our shop when the dogs stopped the girls in their tracks. Little Sierra was really freaked out frozen with a empty face. I rushed over and clapped my hands several times and told the dogs to "go... go... quiet" I yelled over them barking. Immediately Oscar Garcia came out of his shop in his back yard screaming at me..... "What the FUCK are you doing" he says..... "My dogs can FUCKING bark if they want to"..... "Tell your kids to go play on the other side of your yard the dogs can bark if they want to."

Fuming I yelled back at Oscar "You are one of the most inconsiderate people I know. I can't believe you would talk like that when there is a tiny little girl scared to death because she thinks a dog is going to attack her through the fence."

It was this moment that I knew something needed to be done. The dogs were going crazy on our fence line, and he did nothing about it when he was right there and could hear it. It takes me coming out there to get him to care. It was this situation I realized, reason or talking to the Garcias was not an option. Even though it is a bit scary ratting out a law enforcement officer it was the right thing to do. He had taken it to far and it was time to not be scared and voice what I truly feel. We had tippy toed around this dog situation for several years now and no more. The level arrogance and lack of care outweighed anything to come. Our kids were becoming victim of our fear for no reason at all.

All the above being said the Garcias should not be allowed to run a dog kennel breeding facility in a neighborly setting. They do not have the humility it will take to listen to their neighbors. Our children and others in this neighborhood do not trust them and fear them. I have spoken to others that are not willing to come forward and voice their true feelings on this matter as they are intimidated of who they are. I will speak on their behalf as to not cause other neighborly riffs. The Garcia's are a cover your ass kind of people. Keep their dogs quiet when people are looking or would have the potential to call them out. I've seen it before when the neighbors behind us had habitual barking dogs at all hours and I was calling the Sheriff.... Kelly had a waist band of bark collar key fobs keeping her dogs quiet only when others were getting trouble so they would not. Somewhere the Garcias decided to be spiteful and

disregard the nuisance of their kennel towards the neighbors that had crossed them. Now when applying for permission for a use permit, they are acting like angels.

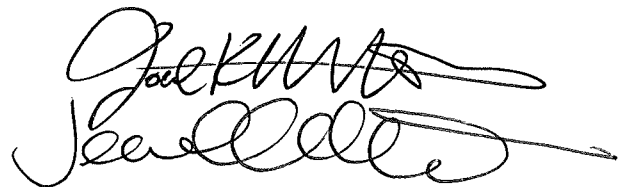
The laws of dog kennels in a neighborhood setting are in place to prevent all the above from happening. We should have never had to even go through with this conflict if the rules have been followed. Our mental health has taken a serious beating replaying the verbal beating we have gotten from the Garcias raising anxiety levels. Our children fear their neighbor and have been told they cannot play with their friends in their own back yard. Friends they would play with several days a week stopped coming over after the first time Oscar Garcia yelled at them when they were just playing tag on our property. We purchased this property in order to have space and freedom for our boys to be able to run and play as well as a major financial investment. Both are being challenged having a kennel facility directly next door.

Note:

- There was a prior request for kennel permit for 5 dogs in another adjoining lot that was denied -11 years ago .... Right before we moved in. Saw that the rules of the neighborhood were being upheld and that is why we felt comfortable purchasing on this street as we would have never been willing to make an investment of this amount of money if a massive dog kennel would have the chance of being right next door. Now here we are today challenging this same issue in the same neighborhood.
- Logistics:
  - Our bedroom door to their property line is.....23 steps from bedroom window their property line and where they kenneled two dogs the past couple years.
  - Our lots are only a little over 1 acre and they are very narrow and deep... approximately 170 feet wide not leaving much of a buffer between you and neighbors.
  - They installed a shed right on the property line which was used as a kennel and dog shelter. There is also a caged outdoor kennel that dogs have been locked up in continually for the last couple years. Dogs pacing and chirping while caged
  - All other neighbors have 2-4 dogs each already. This would be a LOT of dogs in a small area.

Thank you again for your time and consideration of our facts, thoughts and opinions.

Joel & Jennifer Mitchell  
27404 S 887 PR SE  
Kennewick WA 99338



6-15-2021

Our friends came from up the street to our house to hang out. There are 4 of them they were 15, 6, 11, 13, or close to those ages. They used to come over at least 2-3 times every week. We went to play some hide and seek in our backyard. We went up our side of our yard and our neighbors dogs barked at us. Nearly at the same moment Oscar (our neighbor) told us to stay off that part of our land so his dogs don't bark. But we went back to playing hide and seek because we thought we could keep playing since that was our land, so we did. The second time we ran up that side yard again he yelled at us to stay the fuck off that part of your yard. So after that we stopped and probably around 10 min later we were up front on our yard and he told us to stop and come to him. So we did but we stayed on our own property. He had one of his big black dogs under control with him I believe the dog was on a leash. He said that if we did anything

Mr and Mrs  
and  
back  
to  
Oscar

like that again, that he would  
release that dog on us next  
time we do it. Since then very  
little have their kids hung out with  
us. Also since then I have been  
intimidated with my neighbors, and  
scared to



Kelly Garcia Neighbor &gt;

May 19, 2020, 7:58 AM

Joel:

I am thinking you may want to go back to quieter dogs. If I'm being honest the neighbor behind us has fixed his issue and your dogs have taken it to a whole new level. It's really become unbearable. You live in your scenario and you may be use to it but people around you don't wish to be in it. Some barking occasionally is ok that's what a dog would do understandable. You have many dogs so it's just a lot more than occasionally. You used to do bark collars and be on top of them to hush down and in the past few months don't feel like you are so concerned with that now. Has something changed? I'm trying not to be rude but want to be direct enough that you understand our frustration.

Kelly:

For years I had ALL of my dogs quiet (I was very careful to be respectful of our neighbors) & one day your kids were teasing



iMessage





Kelly Garcia Neighbor &gt;

For years I had ALL of my dogs quiet (I was very careful to be respectful of our neighbors) & one day your kids were teasing my dogs. Yep we watched them. After the incident with your wife & sons, (which your kid & friend twisted words & you let them believe that a sworn Law enforcement officer is a liar.) Yes things did change with our friendly neighbor relationship. Accusing Oscar of being a liar was unbelievable! Unbelievable! He would still save anyone of you if you or your kids were in trouble or dying. Would you do the same? I know you wouldn't! We as you can see we had a shop built...strangers here constantly for a couple of months! But our dogs were only let out to go potty. Our plan next is a tall cedar fence! Let's talk about how many people you have coming & going everyday to your shop & cars stuff. FedEx & Mailman constantly dropping of boxes at our door & I have to tell them to





Kelly Garcia Neighbor >

...continuing dropping it down at our door & I have to tell them to take it to you.

We can bring up annoying things you do....REV up your cars constantly & drive them fast & blast music-in cars & shop. At all hours. Your house is not exactly quiet. We haven't complained. We leave you alone. The neighbors on the other side of you have dogs that bark A LOT.....They don't do anything about it.

I will address this with my husband as soon as he's out of the hospital. Yes he's in the hospital! Next time you want to complain text or call Oscar.

By the way the neighbor behind you still have dogs barking too ALOT.

They are barking right now

May 19, 2020, 10:03 AM

You have taken this message somewhere that I wish you wouldn't have. I really wish you



Messages





Kelly Garcia Neighbor &gt;

May 19, 2020, 10:03 AM

You have taken this message somewhere that I wish you wouldn't have. I really wish you would have just said sorry and kept on top of the dog barking better. I was not trying to attack you as a person and was just letting you know the frustration. I'd hope you would just do the same. Yes I've had more people coming to the house lately as I talked to Oscar about. He asked if I was cleaning up around my place and I told him I was trying to thin down and own less. I really want to have nicer show cars which means fewer but nicer and to get there stuff has to go. Yes I will play music in my cars and in my shop hopefully not to a constant obnoxious level that you say. Also I don't rev motors constantly. I do drive out of my driveway and down the street. I do have to warm a motor up without chokes before I drive them but never do I just sit there and rev a motor for no reason. For the packages



Message





Kelly Garcia Neighbor &gt;

I dislike them but never do I just  
sit there and rev a motor for no  
reason. For the packages  
during quarantine I'm sure there  
are a lot and them delivering to  
your door slap their hand not  
mine. Back to the dogs barking if  
you have changed your  
approach to keeping your dog  
kennel quiet after the discussion  
my wife had with Oscar then  
that's just spiteful and out of  
good character. That would be  
like me lining our fence line with  
old cars and running the motors  
just because. I don't get it. A  
conversation should not affect  
responsibility and kindness  
going forward. I'm super  
reasonable and I feel very  
considerate to my neighbors and  
neighborhood for most all I do. I  
think you are too and I don't  
think you are bad neighbors to  
have. I have nothing against you  
and just want to keep you aware  
of my thoughts as I'd hope you  
would want us to be kind and  
respectful to one another but  
when you respond to me it's  
defensive and attacking. I'm not



iMessage





Kelly Garcia Neighbor &gt;

When you respond to me it's defensive and attacking. I'm not going to go there. I will continue to be friendly and let you know if the dog barking is continually too much. I'm sorry if I've raised your blood pressure as it wasn't the intention. I hope Oscar is not hurt or severely ill as this is not a time I'd want to be in the hospital. Wish him well for us. Joel

I would like to keep it friendly too. I am under a tremendous amount of stress right now & have been for some time with health issues of my own as well as Oscar. I'm VERY scared right now.

I see the stress in your typing.

I'm shaking & can't stop the tears. I don't want you to feel sorry for me.

Can you imagine dropping your wife off at an ER & not be able to talk or see her? It's unbearable





Kelly Garcia Neighbor >

wife off at an ER & not be able to talk or see her? It's unbearable

I hear you. I have been telling my kids to not handle things wrong stay on trails because if you break something or need to go to an ER we won't. Telling them that's the last place we would want to go. You don't know how many times I've told them that. Even told my wife I want to wrap caution tape around the trampoline. But the kids need a release somewhere

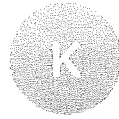
Oscar has a job that puts him in the middle of this virus. I literally am just waiting for us to get it! And now my son in law too is a Trooper. And my daughter is pregnant at this horrible time in history....Oscar has another surgery next week in a hospital.....it sucks to be in this law life now...So now you know every personal thing about us. Please don't upset me anymore. I will monitor the barking but they are dogs & will bark at this... They will be barked at

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Message Kelly Garcia Neighbor





Kelly Garcia Neighbor >

am just waiting for us to get it!  
And now my son in law too is a Trooper. And my daughter is pregnant at this horrible time in history....Oscar has another surgery next week in a hospital.....it sucks to be in this law life now...So now you know every personal thing about us. Please don't upset me anymore. I will monitor the barking but they are dogs & will bark at things. They will be hushed when I hear them.

Jun 5, 2020, 12:28 PM

Just wanted to let you know my wife and I appreciate how you have controlled your dogs barking. It's been much more peaceful. Jen commented how nice it was to sit outside on the deck and read a book the other day. Thank you.

Delivered

Oscar's number is (509) 947-5592. You can contact him. I'm blocking you.

