

Brandi Deese

From: president@historicnorthhill.com
Sent: Friday, March 30, 2018 10:24 PM
To: Brandi Deese
Cc: christianwagley@gmail.com; nicholsmelanie2@gmail.com
Subject: Planning Board Item - Request to consider Amendment to LDC Section 12-2-10 Historic and Preservation Land Use District
Attachments: City_Council_Minutes_November_20_2008.pdf; Section_12_2_54_Animal_Hospitals_businesses_that_board_animals.docx; Section_12_2_32_Buffer_Yards.docx; Section_12_2_8_Commercial_Land_Use_District.docx

Brandi,

I hope this finds you doing well.

Our Board saw on the agenda that an amendment to the Historic & Preservation Land Use District, Section 12-2-10 was being proposed and reviewed the application and past history on the change in great detail.

It appears that the applicant has changed the wording of what is currently in Section 12-2-10 in their request, (added two words for a new land use not previously approved, or defined in the Land Development Code, "Pet Resort", and deleted the word "or". That one word "or" changes it from the current reading of "Animal Hospitals and Veterinary Clinics with fully enclosed kennels and no outside runs OR exercise areas" to now adding Pet Resorts AND exercise areas as an allowed Conditional Use..

I think that it would be very helpful if the Public and the Board: have a copy of what the existing Section 12-2-10 says on the subject, the background for the change in 2008, and where such a use that is being requested is currently allowed in the rest of the City (C-3 Zoning District) and that perhaps more clarification could be added to the Staff Memorandum. As it is now, the Board and Public don't know that the applicant is trying to put a C-3 type use in a C-1 Zoning District. This is a MAJOR change in the 12-2-10.

Here is the section of OEHC-1 from Section 12-2-10

(b) OEHC-1, neighborhood commercial district.

1. Any use permitted in the OEHR-2 district.
2. Child care facilities subject to regulations in section 12-2-58.
3. Nursing homes, rest homes, convalescent homes.
4. Parking lots.
5. The following uses, retail only, with no outside storage or work permitted, except as provided herein:
 - a. Food and drugstore.
 - b. Personal service shops.
 - c. Clothing and fabric stores.
 - d. Home furnishing, hardware and appliance stores.
 - e. Craft and specialty shops.
 - f. Banks.
 - g. Bakeries.
 - h. Secondhand stores.
 - i. Floral shops.

j. Martial arts studios.

k. Outdoor sales of trees, shrubs, plants and related landscaping materials as an accessory to indoor retail sales uses permitted by this paragraph, provided that the area is enclosed within a fence attached to the rear or side of the main building, and provided that the outdoor area does not exceed twenty (20) percent of the total area of the main building.

l. Restaurants.

m. Mortuary and funeral parlors.

n. Pet shops with all uses inside the principal building.

o. Printing firms.

p. Business schools.

q. Upholstery shops.

{6. Conditional uses permitted. Animal hospitals and veterinary clinics with fully enclosed kennels and no outside runs or exercise areas.}

This is the exact same language that is in the Municipal Code for the same use in C-1 districts throughout the City. Our Board does not have an issue if the applicant makes this a permitted versus conditional use, however, we take issue to the addition of "Pet Resort" (not in the LDC and the removal of the word or which would allow outside exercise areas.

Previous to November 2008, Animal hospitals and veterinary clinics were NOT allowed in the OEH Zoning Districts. This same applicant, Dr.

Hall, petitioned to have them added in 2008 and was approved on the condition that there would be no outside runs or exercise areas.

It was very controversial and there was much concern about noise to adjacent residential property owners and Dr. Hall is on record saying that there would be no outside exercise areas. Sherry Morris is on record throughout the Council Hearing insisting that there would not be any outside runs or exercise areas. I have attached the minutes from the City Council meeting from November 17, 2008 which voted to approve the conditional use of animal hospitals and veterinary clinics with no outside runs or exercise areas. The minutes also contain numerous concerns by adjacent property owners.

Many of the residents concerns have materialized according to the Code Enforcement Complaint and Violation. I think that the Board and the Public should have a copy of the minutes from that CEB Meeting since it's referenced in your memorandum.

Has notice been mailed to the adjacent property owners about this new proposal before the Planning Board?

I would recommend that the Planning Board look in the Municipal Code to see where the facility the applicant would like to run would be allowed to occur. It is only allowed to occur in the C-3 Zoning District which is by no means comparable to the OEHC-1 District where this change would be made.

Dr. Hall is currently operating a Pet Resort with outside exercise areas that meets with the City's Municipal Code in the C-3 Zoning District near Hayne Street. (Not within the boundaries of Old East Hill governed by the ARB). The applicant's request to bring C-3 uses within the Preservation District is not compatible.

C-3, commercial zoning district (wholesale and limited industry)

(a) Any use permitted in the C-2 district. (Animal Hospitals and Vet Clinics with NO outside kennels, runs, or exercise allowed in C-2) but you can't have outside exercise areas until section (b) below in C-3

Outside storage and work shall be permitted for those uses and the following uses, but shall be screened by an opaque fence or wall at least eight (8) feet high at installation. Vegetation shall also be used as a screen and shall provide seventy-five (75) percent opacity.

The vegetative screen shall be located on the exterior of the required fence.

(b) Outside kennels, runs or exercise areas for animals subject to regulations in section 12-2-54

Section 12-2-54 is titled, Animal Hospitals, veterinary clinics, commercial kennels and businesses that board animals and contains minimum setbacks of 100 feet to a residence and must contain a buffer yard as described in Section 12-2-32 Buffer Yard.

There is no survey or diagram of the site in the application to see how close the clinic and outside exercise area would be to adjacent properties.

As you will see from the attached minutes and Memorandum from Thaddeus Cohen, Community Development Director and also signed by Sherry Morris, Planning Services Administrator, "The majority of those who responded were opposed to the proposed request" in 2008.

Now, additional changes are being proposed which will intensify the use on this property and the noise which could impair the quiet enjoyment of adjacent properties.

The North Hill Preservation Association Inc. does NOT support this change to the Historic and Preservation Land Use District. We strongly feel that such a change would negatively impact the families who make Old East Hill their home and who like us, have very small lots which are close together. Furthermore, such a change establishes a legal precedent which could be used to add this use to all the other Districts governed by Section 12-2-10.

In closing, the words of Robyn Tice to the City Council in November 2008 say it best, "Codes aren't written for one individual's benefit, they are to be to the benefit of the citizens/neighborhood as a whole".

Thank you for your consideration,

Melanie Nichols, President
North Hill Preservation Association, Inc.

Brandi Deese

From: Christian Wagley <christianwagley@gmail.com>
Sent: Tuesday, April 10, 2018 11:42 AM
To: Brandi Deese
Subject: Old East Hill

Hello Brandi:

In response to my email to our Old East Hill Property Owner's Association email list regarding the proposed change to the LDC regarding outdoor exercise areas at pet resorts and vet clinics in Old East Hill, I received the following:

Lou Courtney

to me

Christian, can you please forward this letter to our Old East Hill mailing list? I think it would be good to get it out sooner rather than later. Also I would like Melanie Nichols contact information if you have it. Thanks

I am a resident of Old East Hill and am concerned about the issue described below. Our next neighborhood meeting is **this coming Monday, April 9th**, at Mount Lily Church a few blocks away at 619 East Gadsden in the community center next to the church. Meeting begins at **6:30pm**. We will be holding board member elections that night also, so if you are property owner, please come vote! (you do not need to be an owner to attend meetings and voice concerns)

The East Hill Veterinary Clinic and Pet Resort Too on the corner of Gadsden and 8th Avenue is applying to CHANGE our neighborhood CODE. This is a dramatic change that will affect our entire district. **This vet clinic has been in violation since adding their outdoor run and exercise areas**, which they have been advertising on their website www.Pensacolapetresorttoo.com ('they go outside 5 times a day'). When this vet came into our area they were granted a Conditional Use permit. This type of permit is granted because the city thinks there may be unforeseen problems that arise and that might not be compatible. On their original permit application they clearly state there would be **'NO outdoor runs or exercise areas'**. At the time, it was explained that the boarding of pets was already established several blocks away at Pensacola Pet Resort on Hayne street and they would not board animals at the Gadsden location. This vet understood yet completely disregarded code restrictions. I anticipate they intend to expand their business in our area. Although we are a mixed use neighborhood, meaning that we allow for businesses with different restrictions in different areas, allowing this code change will impact us all negatively, both now and in the future. Speaking with several people who have been in planning and code enforcement for many years, they said that there are always unintended, negative, consequences after a code change even 8, 9, 10 years later.

As a neighborhood, we should have voiced concerns when the vet went to the magistrate a month or 2 ago to address their code violation. Unfortunately, it was not publicized and no-one showed up to speak against it.

WE STILL HAVE A CHANCE TO PREVENT THIS CODE CHANGE: We can attend the **Tuesday, April 10th CITY PLANNING BOARD MEETING** at 2:00 pm at **City Hall** in the Mason Conference room, 222 West Main Street. **SHOWING UP IN PERSON MAKES A DIFFERENCE. You can also write in ahead of time to Brandi Deese at Bdeese@cityofpensacola.com BOTH before April 10th and before May 10th**

*****IT IS ALSO IMPORTANT to SHOW UP** for the Thursday, **May 10th CITY COUNCIL MEETING** at 5:30pm at City Hall, where a decision will be made after hearing comments from the audience.

copyeditor@michaelkenneydesign.com

to me

Hello Christian,

Takes some study to understand this. (For example, on the map of Old East Hill, there's OEHC and OEHR and I'm not sure of the meaning of C and R.) I doubt any ruling would affect us; it's those folks who live close to the clinic who ought to have a sayso. But one more thing: What are the ramifications for the whole neighborhood in the future? When Dr. Hall petitioned to get a zoning change so she could open the clinic, I saw it as continued encroachment by businesses such that in the future they could be right next door. That might be far away, but the encroachment process itself might cause grief, little by little.

Or course, most of what I just said is my imagination.

By the by, do you happen to know what's going to be done with that empty lot across the street from Bill and Nanette's?

Hope to see you Monday,

Jerry

Christian,

Thank you for this information.

I may not be at the meeting so here is my position.

I am strongly against changing OEHC-1, which equates to about half the neighborhood, to allow **animal hospitals, veterinary clinics, and pet resorts with fully enclosed kennels and no outside runs; outdoor exercise areas are permitted** by right. *The placement of a new Animal Facility with an outside exercise area in a primarily residential area should not be allowable by right. This should be a conditional use and the neighbors should have say as it could affect their enjoyment of their own home.*

I personally have no issue with Dr Halls current facility but I also don't live close to it.

It seems her specific issue is what should be addressed, not code for an entire area (OEHC-1). And her issue should be addressed with input from her neighbors near by who are potentially affected by this. (Maybe they have no issue with the facility as it is and could work with her and the city to come up with a variance. I don't know)

Sincerely,
Mark Casson

Brandi Deese

From: Amber Hoverson <amberlynnie1@gmail.com>
Sent: Tuesday, April 10, 2018 11:39 AM
To: Brandi Deese
Subject: Section 12-2-10

Brandi,

My name is Amber Hoverson and I live at 706 E Jackson Street in Old East Hill preservation district. I am writing in regards to the amendment to the Historic and Preservation Land Use District, Section 12-2-10 that is being proposed

My husband and I moved to our home in Old East Hill in 2010 so we were not here when the original code was changed in 2008 to allow for veterinary clinics. My understanding is that many of the homeowners were not in favor of the code changing because they were concerned about noise, overcrowding, parking, the structure's design complementing the neighborhood's integrity, and lastly changing the precedence in which our neighborhood's codes were originally designed and created for.

Here are my observations of East Hill Veterinary Clinic and Pet Resort Too for the past few years: I live a block away from the clinic.

1. The structure is very much in keeping with the integrity of our neighborhood. I think the owner/designers did an excellent job adhering to, even elevating the way remodels and new construction should be treated in our historic preservation district.
2. Having a vet and groomer in the neighborhood is convenient. I've been able to walk my pet to get groomed instead of stressing it out by driving. My In-Laws have also taken advantage of boarding their dog at the Pet Resort when visiting from out of town.
3. Parking can be a problem. The street gets congested and there have been several instances where I've had to stop driving on 8th avenue for someone pulling out of the parking lot that either couldn't see me or wasn't paying attention.
4. Noise from the barking dogs is a problem. Both my husband and I are home all day and the noise can be distracting and annoying. It seems that the barking noise has become more bothersome within the last 6 months.

Here are my concerns about the current proposal to amend section 12-2-10 further:

1. I don't think that any codes should be changed for an individual business. Codes are written for a reason and changing them should benefit the entire neighborhood, not just an individual/business. Also, if changing a code is easy to do current codes lose their authority and people are less likely to comply with them to begin with. This equates to more code violations in general and people doing what they want because they can.

2. We are a mixed use neighborhood so there is commercial zoning throughout the area. The proposed change could hypothetically allow for a veterinary clinic or animal hospital with dogs barking throughout the day to open anywhere within the neighborhood with commercial zoning. Which means hypothetically we could have barking dogs scattered around our entire neighborhood instead of concentrated in one area. Noise pollution lowers home values and quality of life.
3. As someone who has had to go to the ARB several times to get approval for our own home's renovations I can speak to strict guidelines that are in place. The majority of structures in our neighborhood are people's homes. It seems grossly unfair to me that homeowners are held to such strict standards for the exterior renovation of our homes but a business (someone who makes money here) can violate a code (which is a law and not merely a guideline as in the case of the ARB), have a year to come into compliance with the code, and has the option of changing the code so that the business can continue to do what it has always done. Also consider that homeowner's guidelines set in place by the ARB only influence what we see. The proposed code change affects what we hear. A person can make a choice to ignore something they find ugly in the neighborhood, but noise pollution cannot simply be ignored, even from the interior of a home.

I congratulate East Hill Veterinary Clinic and Pet Resort Too on its business success, however as the saying goes, there is a time and place for everything. The place for the part of her business that includes outdoor runs or exercise areas is not Old East Hill. This is a place that is primarily made up of charming old houses and a scattering of small businesses that are either unobtrusive or adding to the charm. We live in a very special place and it is exciting to see the growth that our community has experienced. Allowing a business to change the code to suit its needs does not set us up for success. The needs of the community need to be put before anything. We will survive without a pet resort in the neighborhood but we will not survive if we are known as the noisy neighborhood with the barking dogs because we are the only C1 zoning area that allows for C3 noise.

Sincerely,

Amber Hoverson

Brandi Deese

From: Charles Voltz <voltzpj@yahoo.com>
Sent: Thursday, April 05, 2018 8:06 PM
To: Brandi Deese
Subject: Proposed LDC Amendment for Old East Hill Preservation District

My address is 603 N. 8th Avenue. This puts me across from East Hill Animal Hospital on the same block. I am writing to voice my strenuous objections to Ms. Hall's proposed changes to the land development code for a neighborhood in which she chose to place a business, with full knowledge of what the limitations to that business would be.

Ms. Hall has been in violation of the code for quite some time now. Her casual disregard for the people who have property, children, investments, and long-term regard for the neighborhood is obscene. I have been subjected to hour after hour of 8-10 dogs barking in an enclosure behind her business, IN VIOLATION OF THE CODE. Countless times, I have witnessed her clientele using our neighborhood as a repository for their dogs' feces, IN VIOLATION OF THE LAW. Nearly every day of the week, she and her employees use the City's grass easement (between the sidewalk and 8th Avenue) as a parking lot, IN VIOLATION OF THE LAW.

I remember distinctly when Ms. Hall showed up years ago with a lot of promises and assurances. In truth, she has been a very poor neighbor, and this beautiful piece of historic Pensacola is dirtier, louder, trashier, and more congested for Ms. Hall having been here. We take care of this place because it is our home. Clearly she does not feel the same responsibility.

The Code was not written for or against Ms. Hall, so there is no compelling reason to amend it for Ms. Hall. She knew what the Code said when she located here, and she chose to violate it over and over and over. Now she wants the Planning Board, whom she has pointedly ignored, to change the Code solely for her benefit? For her to even make this request, after what she has done to our street, is outrageous.

I would prefer Ms. Hall pack up her business and move it to a location in which the Land Development Code suits her goals. Otherwise, I fully expect the City of Pensacola to reject this ridiculous request, and then get serious about enforcing the existing regulations to bring this business into compliance. Thank you.

Sincerely, Charles Voltz and Dr. Stacey Rimmerman

Brandi Deese

From: Lou Courtney <loumitchell@loumitchell.com>
Sent: Monday, April 09, 2018 8:12 AM
To: Brandi Deese
Subject: East Hill Vet Clinic

Having been a resident of Old East Hill for over 20 years, I am adamantly opposed to the request for code change by the East Hill Veterinary Clinic and Pet Resort Too. This vet clinic has been in violation since adding their outdoor run and exercise areas. When this vet came into our area they were granted a Conditional Use permit. This type of permit is granted because the city thinks there may be unforeseen problems that arise and that might not be compatible. On their original permit application they clearly state there would be '**NO outdoor runs or exercise areas**'. At the time, it was explained that the boarding of pets was already established several blocks away at Pensacola Pet Resort on Hayne street and they would not board animals at the Gadsden location. **This vet understood yet completely disregarded code restrictions.** As their business has grown, the number of barking dogs has increased and gotten louder. I work at home and am often outside. Even though I am a block away, the noise is very loud and obnoxious and, as their website advertises, it occurs when **they take the dogs out '5 TIMES A DAY'**. I am asking the planning board to SAY NO to this request and to enforce the existing code. I am disappointed they have been given a YEAR to come into compliance.

City Code was created to protect the majority of the citizens, not for special interest groups. We are a small, HISTORIC PRESERVATION neighborhood. Our quality of life is diminished by this NOISE POLLUTION.

I anticipate they are attempting to change this code because they intend to expand this business in our district. If they need to expand their business they should find an area more compatible with their needs. Although we are a mixed use neighborhood, meaning that we allow for businesses with different restrictions in different areas, allowing this code change will impact our ENTIRE DISTRICT negatively, both now and in the future. Speaking with several people who have been in planning and code enforcement for many years, they said that there are always **unintended, negative, consequences after a code change even 8, 9, 10 years later.**
Lou Mitchell Courtney
523 N 8th avenue

Brandi Deese

From: theresa finkbeiner <coyotemoonherbcompany@cox.net>
Sent: Sunday, April 08, 2018 7:19 PM
To: Brandi Deese
Subject: 805 E. Gadsden St code ordinance

Dear Ms. Deese,

i became aware of an ordinance that Laura Hall wants to remove from the Code at 805 East Gadsden St.

This is not a good move. As a Licensed Massage Therapist and renter at Innerpeace 815 E. Gadsden,

the dog barking noise will be unavoidable. I give massage throughout the day along with 3 other therapists

and we are not happy to hear of a dog run and kennels outside. This is a residential area too and the noise can be unnerving.

I hope you will consider the people on the whole block on Gadsden St and around the corner.

No one wants to listen to dogs barking all day and night. Please do not remove the code ordinance for this area.

When she bought here, she knew the deal and has broken the code already. Can you please put an end to it right now!!

Thank you for your consideration, I am not able to attend the meeting on this topic .

Theresa Finkbeiner 437 9192

Brandi Deese

From: Lou Courtney <loumitchell@loumitchell.com>
Sent: Tuesday, April 10, 2018 10:53 AM
To: Brandi Deese
Subject: Vet code change letter vote

I have been a home owner in Old East Hill for over 20 years. I am opposed to the code changes proposed by Dr. Laura Hall regarding East Hill Veterinary Hospital/ Pet Resort. I already hear loud nuisance barking off and on throughout each day. She was granted **conditional use** and has not abided by the original code which was written as a condition for allowing her business into the neighborhood. Why is the city even considering changing a land use code for one business when it will affect all residents negatively and open up unforeseen complications years down the road? I am OPPOSED to these changes.

Michael Courtney
523 N 8th avenue

Brandi Deese

From: Laura Dean <laurad@portofinoisland.com>
Sent: Friday, April 06, 2018 3:01 PM
To: Brandi Deese
Subject: East Hill Vet

Planning and Zoning board:
Attention Brandi Deese

This letter is to serve as a statement that my home is directly behind Dr. Laura Hall's businesses. My back yard shares a fence with the pet resort yard. I have never had any issue with her business, employees, customers or clients. I have had no noise, odor or parking concerns. Nor have any of the residents living in my home.

I am in favor of any code change that will allow her to continue to conduct her business with the intended use that the city allowed in 2008. She has conducted herself in a professional manner and has been a pleasant addition to the neighborhood.

Sincerely,

Ken Norris 804 East Jackson

Show quoted text

Brandi Deese

From: Laura Hall <laura@drhall.us>
Sent: Monday, April 09, 2018 10:53 AM
To: D. Brandon Cobb; Brandi Deese
Subject: Re: neighbor favor!

thanks!

On Mon, Apr 9, 2018 at 10:51 AM, D. Brandon Cobb <dbrandoncobb@gmail.com> wrote:

Laura Hall, DVM
East Hill Animal Hospital
805 East Gadsden Street
Pensacola, Florida 32501

Good morning, Laura. Please forward the following letter to whomever you deem necessary.

April 9, 2018

RE: East Hill Animal Hospital

To whom it may concern:

I, D. Brandon Cobb, am the property owner at 811 East Gadsden Street, the property directly next to East Hill Animal Hospital. This property has been mine or in my family since before East Hill Animal Hospital came to be our neighbors. It is my understanding that there have been some complaints about the clinic and the animals there.

While I do not currently reside full time in the building (as I am staying with my great aunt who has had a stroke and help manage her care), I am there periodically and have a working knowledge of the neighborhood. In addition, we had a tenant in the property for over twelve years. I am listing these facts so that you will have an idea of our involvement with our neighbors.

East Hill Animal Hospital has never given me or my tenant any reason to raise a complaint. They have been good and considerate neighbors even taking the extra effort and asking if I minded them using the parking in front of my home rather than just telling their employees or customers to park there. As I am not there, I have had no issue with them using the property which is, after all, part of the public right of way along Gadsden street.

East Hill Animal Hospital has added to our diverse neighborhood and done so while keeping the charming look of Old East Hill in mind. I count them as an asset to our community.

On a personal note, it is extremely convenient to walk next door when I have any veterinary need.

If you have any further questions, I can be reached by phone at 850.748.2200, by email at dbrandoncobb@gmail.com, or by U.S. Mail at 811 East Gadsden Street, Pensacola, Florida 32501.

Cordially,
D. Brandon Cobb

On Fri, Apr 6, 2018 at 1:45 PM, Laura Hall <laura@drhall.us> wrote:

----- Forwarded message -----
From: **Laura Hall** <laura@drhall.us>
Date: Fri, Apr 6, 2018 at 1:44 PM
Subject: neighbor favor!
To: cobb@gmail.com

I have an annoying, waste of time, situation I was hoping you could help me with. :)

I have never had any sort of complaint or issue with the city with any of my 3 businesses but in the recent months my staff has been legally "on street" parking so an anonymous neighbor made a complaint and became frustrated when she was told the parking was legal so she started snooping around for something else to complain about. So, she told the code enforcement officer that she heard dogs barking and followed the barking onto my property and saw 14 dogs in the yard. Not true, not ever!! She then took the time to watch my video on my website "Pensacola Pet Resort, too" and it does say that we allow the "play time is offered next" and "afternoon playtime before dinner" and "offered 5 leash free outings a day 365 days a year". "In 1 of 3 clean shaded and spacious exercise yards" .. all true. **Never unattended always in the fence, always under direct control.**

She then looked up the code and saw my conditional use in OEHC-1 that said " animal hospitals or Veterinary Clinics with fully enclosed kennels and no outside runs or exercise areas." The distinction was a distinction with C3 in which outdoor runs are allowed- see pics attached below. Very sadly, after a lengthy explanation, (see letter also attached) Code Enforcement turfed the issue saying that they could not make that distinction or interpretation and that I had to go before a magistrate which is next Tuesday. (Needless to say once I found out the parking was a concern of a neighbor I asked my staff to stop doing it that problem is solved.) I asked code enforcement to have the lady come talk to me and she refused and wanted to remain anonymous- probably because she lied and trespassed!

I went to the magistrate for a proposed code violation and he could not rule on the interpretation so gave me a year to get the wording changed so there is no concern in the future, he was very nice. The city is behind the change as I have always complied with the intended use, but as always there are some crazy neighbors opposing any change even though it is no change from my original use, just a clarification about the language.

I would love it if as a direct neighbor to my business you would write a letter saying something like you have never had noise or odor complaints or congestion or any issues at all that this business has in fact improved the lot etc etc.

I can write something for you to copy and paste into your email?
Thanks, the meeting is Tuesday with planning and zoning!

Have a good day! Bet it is beautiful in NC- you in the mountains?

Dr. Laura

I sent this to president of local association:

"1) pet resorts were already allowed-- I did not have any changes with the code for that, all uses were to be indoors such as boarding, grooming, exchange of pets and products etc. and they are, the dogs go out to potty and play shortly less than 5-10 mins at a time and always attended. I have no formal or informal complaint of noise at all since 2010 when I opened my doors or of dog droppings, odors, traffic or anything. It's just the recent on street parking that lead to all of this.

2) the term 'outdoor exercise areas' in the conditional use is what all the fuss is about--- how is that interpreted? It was interpreted in 2008 by planning and zoning and city council to mean no outdoor runs or exercise areas in which the dogs are housed outside overnight and where the dogs have access via a dog door to go in and out at free will. Never are my patients left unattended. Never, it is always like you saw it 1 or 2 staff members 1 or 2 dogs, at times like on my video at PensacolaPetResort, too you will see we do have groups that go out together: we have old dog play, young dog play, rowdy dog play etc and all of these dogs are under 40#-- never unattended never barking always playing or pottying! they are done playing in 5- 10 mins and we let them back inside, in the summer heat it is even less and we have indoor playtime. (so let's call it a potty yard and a play yard not an exercise yard)

I realize that it was our mistake in 2008 for not giving more detail in the code, that is why we are correcting it now. All it takes is 1 person to challenge the black and white of the law. Even though her claims were false and in my opinion she not only lied but she trespassed. I am a rule follower and have improved the area and I am passionate about my career, my family and my employees and the East Hill Neighborhood which I have been a part of since 2002!! I would be happy to give anyone a tour as I did you."