



CITY OF FAIR OAKS RANCH

CITY COUNCIL & PLANNING AND ZONING COMMISSION SPECIAL MEETING

Thursday, February 09, 2023 at 6:30 PM

Public Safety Training Room in the Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

AGENDA

OPEN MEETING

1. Roll Call - Declaration of a Quorum
2. Pledge of Allegiance

CITIZENS and GUEST FORUM

To address the City Council and Commission, please sign the Attendance Roster located on the table in the foyer of the Public Safety Training Room. In accordance with the Open Meetings Act, the City Council and the P&Z Commission may not discuss or take action on any item which has not been posted on the agenda. Speakers shall limit their comments to five (5) minutes each.

3. Citizens to be heard.

PRESENTATIONS

4. The City Council and the Planning and Zoning Commission of the City of Fair Oaks Ranch, Texas, will conduct a joint public hearing to receive public testimony on the following Rezoning request (Rezoning No. 2023-02-09): A request from the applicants and property owners Lauren Tijerina and Daniel Tijerina to change the zoning classification of 29243 Enchanted Glen, generally located northwest of the intersection of Dietz Elkhorn Road and Enchanted Glen, from Existing Residential Three (R3) to Community Facilities (CF).
 - a) Mayor opens the joint public hearing
 - b) Staff/consultant presentation of the proposed Rezoning request
 - c) Applicant presentation of the Rezoning request
 - d) City Council and P&Z receive citizen testimony for/against the proposed Rezoning request with the Mayor serving as the presiding officer
 - e) Mayor closes the joint public hearing
 - f) Council and P&Z discuss the case, inclusive of questions of the applicant and staff/consultant
 - g) Public Hearing is adjourned with no formal action necessary

Katherine Schweitzer, P.E., Manager of Engineering Services
Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra Corporation

ADJOURNMENT

Signature of Agenda Approval: s/Carole Vanzant

Carole Vanzant, Assistant City Manager

I, Christina Picioccio, TRMC, City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the City's website www.fairoaksranchtx.org, both places being convenient and readily accessible to the general public at all times.

As per Texas Government Code 551.045, said Notice was posted by 6:30 PM, February 6, 2023 and remained so posted continuously for at least 72 hours before said meeting was convened.

The Fair Oaks Ranch Police Station is wheelchair accessible at the front main entrance of the building from the parking lot. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary's office at (210) 698-0900. Braille is not available.



CITY COUNCIL AND PLANNING AND ZONING COMMISSION
JOINT PUBLIC HEARING
CITY OF FAIR OAKS RANCH, TEXAS
February 9, 2023

HEARING TOPIC: The City Council and the Planning and Zoning Commission of the City of Fair Oaks Ranch, Texas, will conduct a joint public hearing to receive public testimony on the following Rezoning request (Rezoning No. 2023-02-09): A request from the applicants and property owners Lauren Tijerina and Daniel Tijerina to change the zoning classification of 29243 Enchanted Glen, generally located northwest of the intersection of Dietz Elkhorn Road and Enchanted Glen, from Existing Residential Three (R3) to Community Facilities (CF).

DATE: February 9, 2023

DEPARTMENT: Public Works and Engineering Services

PRESENTED BY: Katherine Schweitzer, P.E., Manager of Engineering Services
 Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra Corporation

INTRODUCTION/BACKGROUND:

The applicant is proposing to change the zoning classification of approximately 1.57 acres contained in 29243 Enchanted Glen from Existing Residential Three (R3) to Community Facilities (CF). The purpose of this rezoning request is to allow for an appropriate zoning classification to be placed on the subject property to enable the applicant to establish a licensed childcare center. The sequence for conducting the joint public hearing is as follows:

1. Mayor opens the joint public hearing
2. Staff presentation of the proposed Rezoning request
3. Applicant presentation of the Rezoning request
4. City Council and the Planning and Zoning Commission (P&Z) receive public testimony for/against the proposed Rezoning request with the Mayor serving as the presiding officer
5. Mayor closes the joint public hearing
6. City Council and P&Z discuss the request, inclusive of asking questions of the owner and staff
7. Meeting is adjourned with no formal action necessary

Subsequent to the City Council's departure, the P&Z will convene into their regular business meeting to discuss the Rezoning request and make a recommendation for City Council consideration. The P&Z may recommend approval/denial. The P&Z may choose to table the request if they determine additional information from the applicant is warranted. The City Council is the final authority on all Rezoning requests. Accordingly, the City Council will consider the Rezoning request and the P&Z recommendation at their next regularly scheduled business meeting following P&Z action.

LEGAL ANALYSIS:

The attached staff report and today's joint public hearing demonstrate compliance with the requirements as prescribed in Texas Local Government Code and the City's Unified Development Code.

RECOMMENDATION/PROPOSED MOTION:

Conduct the joint public hearing.

CANCELLED

STAFF REPORT

To: City Council and Planning and Zoning Commission
From: Public Works and Engineering Department
Date: February 9, 2023
Re: Rezoning request from the applicants and property owners Lauren Tijerina and Daniel Tijerina to change the zoning classification of 29243 Enchanted Glen, generally located northwest of the intersection of Dietz Elkhorn Road and Enchanted Glen, from Existing Residential Three (R3) to Community Facilities (CF).

SUMMARY:

The applicant is proposing to change the zoning classification of approximately 1.57 acres contained in 29243 Enchanted Glen from Existing Residential Three (R3) to Community Facilities (CF). The purpose of this rezoning request is to allow for an appropriate zoning classification to be placed on the subject property to enable the applicant to establish a licensed childcare center.

The Unified Development Code (UDC) describes the current and proposed zoning categories as follows:

Current Zoning - "The Existing Residential 3 (R3) category governs the existing rural residential lots with lot sizes generally between 1.3 acres and 5 acres. Exclusive of city permits and ordinances all lot, building, landscaping, and other standards will be controlled by the applicable deed restrictions in these neighborhoods, in compliance with City ordinance requirements."

Proposed Zoning - "The Community Facilities (CF) District is intended for locations at which facilities are provided for governmental, religious, educational, health care, public gatherings, and social services. Sites in the CF district are appropriate for direct access to primarily Arterial, Collector streets and Local Connector Streets. Development standards in this district will require new buildings to create pedestrian friendly building frontages and generally conform to a Hill Country Design aesthetic. Uses within this Zoning District include primarily Civic and places of worship."

The subject property contains a single-family residence and is in the recorded subdivision Enchanted Oaks Unit 1 and is currently served by the Enchanted Oaks Water System and septic system. As per the deed restrictions applicable to this subdivision, no professional business or commercial activity to which the general public is invited is permitted. However, the City does not enforce private deed restrictions or HOA regulations.

LOCATION AND SURROUNDINGS:

The site is generally located northwest of the intersection of Dietz Elkhorn Road and Enchanted Glen. A summary of the surrounding land uses and zoning designations can be found in the following table:

Zoning		Land Use
NORTH	Existing Residential 3	Single Family Residential
SOUTH	Existing Residential 3	Single Family Residential
WEST	Existing Residential 1	Single Family Residential (Elkhorn Ridge Development)
EAST	Existing Residential 2	Single Family Residential

CONFORMANCE WITH COMPREHENSIVE PLAN:

Background:

The City adopted the current Comprehensive Plan in 2018 as part of a mission to strengthen and preserve the City's character.

Purpose of the Comprehensive Plan:

The purpose of the Comprehensive Plan is to determine community vision, goals, and aspiration in regard to community development. This living document is intended to guide City's land use, policies, and spending priorities for years to come. It addresses how "thoughtful design can maintain and improve quality of life for the people who live in Fair Oaks Ranch, and how to balance personal freedom with rules for common protection of property values, safety, and the preservation (and enhancement) of the community character."

As per the Comprehensive Plan – "The Comprehensive Plan will help guide where and how the development happens, and to shape the future growth in ways that will complement and protect the values of the existing community, and serve as a foundational rulebook for the landowners, developers, surveyors, engineers, and architects and for the City employees who will shepherd them."

The Comprehensive Plan serves as a guide to frame zoning regulations that regulate all development and land uses.

Process of Adoption of Comprehensive Plan:

The current Comprehensive Plan was created by the citizens of Fair Oaks Ranch and the process spanned over two years (2017-2018). It was led by a steering committee appointed by the City Council who worked with staff and the professional planning team. The citizens and other stakeholders were heard through workshops and City-wide "Town Hall" meetings, as well as numerous smaller meetings, planning exercises, and community surveys. The plan reflected the vision of the community.

Components of the Comprehensive Plan:

- 1) **Text** - The Comprehensive Plan contains a Future Land Use chapter that includes the descriptions of the various land use classifications, and recommendations on the appropriate land uses, development regulations, design standards, and zoning categories for each of these land use classifications.

- 2) Map - The Future Land Use Map (FLUM) included in the Comprehensive Plan shows suitable locations in the City for the various land use classifications. The FLUM classifications should be used in conjunction with associated text descriptions to assess the types of land uses and development desired for in a particular area.

Comprehensive Plan Recommendations for this Property:

The FLUM (Exhibit C: Future Land Use Map (FLUM) adopted in June 2018 designates this property as Existing Residential. The Comprehensive Plan recommends the following standards:

Existing Residential

Permitted Uses	<ul style="list-style-type: none"> Defer to individual HOA rules and regulations
Lot and Block Standards	<ul style="list-style-type: none"> Defer to individual HOA rules and regulations
Building Form and Development Standards	<ul style="list-style-type: none"> Defer to individual HOA rules and regulations
Building Design Standards	<ul style="list-style-type: none"> Defer to individual HOA rules and regulations
Transportation (Street Types)	<ul style="list-style-type: none"> Local Multimodal Street Neighborhood Street

Relevant Excerpts from the Comprehensive Plan:

The Existing Residential designation is described as – “... The Existing Residential categories are intended to capture the neighborhoods already existing in Fair Oaks Ranch as the comprehensive plan exercise commenced. These neighborhoods were platted, and mostly built-out, before zoning districts were created. Construction standards and densities in these areas have historically been governed by land covenants and deed restriction committees. The four categories of Existing Residential zoning reflect the existing neighborhood character and densities already in place.”

The Comprehensive Plan states that - “Existing Residential 3 category governs areas where existing lot sizes are generally between approximately 1.3 acres and approximately five acres. All building, landscaping and other standards will be controlled by the applicable Restriction Committees”.

The proposed zoning category of CF is not recommended for the subject property by the Comprehensive Plan. As per the Comprehensive Plan, CF District is intended for governmental, religious, educational, health care, social service, and special facilities.

As per the Comprehensive Plan, sites with direct access from Arterial, Collector streets and Local Connector Streets are suitable for the CF zoning category. The subject property that fronts on a local street is not appropriate for a CF category.

Finding:

- The proposed zone change is not consistent with the Comprehensive Plan and the FLUM.

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE:

Current zoning: As per the UDC, Existing Residential Three (R3) zoning "... governs the existing rural residential lots with lot sizes generally between 1.3 acres and 5 acres." As per UDC, in R3 districts, all lot, building, landscaping and other standards will be controlled by the applicable Restriction Committees in compliance with City ordinance requirements.

As per the deed restrictions applicable to this subdivision, no professional business or commercial activity to which the general public is invited is permitted. However, the City does not enforce private deed restrictions or HOA regulations. The applicant has been notified of this deed restriction.

Proposed zoning: As per the UDC, CF district is intended for locations at which facilities are provided for governmental, religious, educational, health care, social service, public administration uses, and special facilities. Some of the areas in our city currently zoned as CF include:

- Along Dietz Elkhorn Road (Spring Creek United Methodist Church, City Hall, Van Raub Elementary School, Electrical Substation)
- Along Ralph Fair Road (Cibolo Creek Community Church, Fire Station)
- Intersection of Ralph Fair Road and Dietz Elkhorn Road (Fair Oaks Elementary School)

Based on the applicant's submittal and the pre-development meeting, the applicant proposes to use the existing residential structure as a licensed childcare facility for up to 48 kids depending on the state approval (including full time and part time childcare). It will not be a home day care and the applicant will not be using the structure as a residence. The existing residence and premises will need to be modified to meet the standards for a daycare center as required by the UDC and state requirements.

It should be noted that once a property is zoned, it can be developed or redeveloped for any use that is permitted in that zone, as long as all other development standards contained in the UDC are met. In other words, a zoning classification runs with the land and the land cannot be restricted to a daycare facility. Land uses permitted in CF district include hospital, fitness, recreational sports, gym, athletic club, dance or yoga studio, school, libraries, religious institutions, and bed and breakfast. (See attached Use Table).

As per UDC Sec. 4.10 (8), the proposed use of daycare center is permitted with conditions in the CF district. No additional conditions can be placed on the zone change. The required standards are:

- Meet the minimum state requirements for such facilities and be registered with the State of Texas.
- Meet applicable state regulations and the restrictions.
- Provide at least as much outdoor play area and indoor activity space per child as required by the state for licensed day care centers. All outdoor play to be located behind front building lines and a 6 ft. tall opaque screen to be provided to screen abutting property that is zoned residential at the time the child care facility is established.

- Provide regular care to children under fourteen years of age for less than twenty-four hours a day.
- Not located in residentially zoned areas.
- Conform to the off-street parking and loading requirements:
 - Loading zones must be off-street, drive-through and paved to a minimum width of ten feet and a maximum width of twenty feet.
 - Loading zones shall have a holding capacity of one vehicle per five hundred square feet of the facility, exclusive of parking spaces, provided that no facility shall be required to have a loading zone with a capacity in excess of six spaces.

Finding:

- Uses permitted - The proposed zone change would permit the use proposed by the applicant if the standards listed above are met without any additional conditions on site development or use. If the zone change is approved the property can be used for any other uses permitted in the CF zone and there will be no guarantee that the site will be developed as proposed as a daycare center.

CONFORMANCE WITH THE CHARACTER OF THE AREA:

The proposed use will change the existing use of single family residential into a use of commercial nature. Without adequate thought to placement, buffers, and other considerations, the proposed use and other uses permitted in this zone may not be compatible with the adjacent use of single family residential.

Findings:

- The density and character of the proposed use and other uses permitted in CF zone may adversely affect abutting existing single-family neighborhoods.
- The traffic generated by the proposed use and other uses permitted in CF zone, such as hospital, fitness, recreational sports, gym, athletic club, dance or yoga studio, school, libraries, religious institutions, bed and breakfast etc. may have an adverse impact on circulation and safety on surroundings due to inadequate capacity, street continuity, and linkages.

CONFORMANCE WITH THE AVAILABILITY OF UTILITIES:

The subject property is currently served by the Enchanted Oaks Water System and septic system. The adequacy of water, sewer, roadway, and storm drainage facilities will need to be reevaluated to ensure there is capacity for any proposed uses by the CF district.

Findings:

- There may not be adequate utilities for the intensity of the proposed use and other permitted uses in the CF district.
- Detailed study will be required to ascertain the improvements needed for this use.

CONFORMANCE WITH THE TRANSPORTATION MAP:

The traffic generated by the proposed development will impact Enchanted Glen, Enchanted Elm, Enchanted Park, and Dietz Elkhorn Road. Enchanted Glen is a Local Street with 60' right of way (ROW) according to the recorded plat. Improvements may be needed to adequately support any commercial scale development. A traffic study will be required to determine the extent of improvements.

Findings:

- City's roadway infrastructure may not be suitable and adequate for the proposed use and all permitted uses in the CF district.
- A traffic study will be required to ascertain what improvements will be needed for the proposed use and all uses permitted in the CF district.

PUBLIC COMMENTS:

All real property owners within 200 feet were notified and notice of the public hearing has been published. Staff has received zero (0) public comments in favor of the request and fifteen (15) in opposition.

UDC Ch 3.7 (4)(vii)(2) states "If a proposed rezoning of a tract of land has been protested in writing by the owners of at least 20 percent of the area within 200 feet of the tract (who are also resident inside the City Limits), the rezoning may not become effective except by three-fourths vote of the City Council." Staff has reviewed the public comments and has determined 62% of the area is in opposition of the proposed rezoning.

STAFF ANALYSIS:

Based on the review of the application and supporting documents, UDC, Comprehensive Plan, and other applicable City standards, the staff's observations are as follows:

1. The rezoning will not be consistent with the Comprehensive Plan.
2. Without additional considerations and or the ability to require adherence to any site plan (not permitted by straight zoning), the rezoning may not be compatible with the surrounding single family uses. Staff believes that the rezoning, will allow the proposed use and potentially other commercial uses such as a hospital or fitness center, without appropriate buffers and transitions, and without any safeguards or design standards, may have a detrimental effect on the health, safety, or general welfare of the City and to the adjacent residential neighborhoods.
3. Once rezoned, the property can be developed for any other uses permitted in the CF district as mentioned above.
4. The proposed use would generate commercial traffic on an existing residential community.
5. The permitted uses in the CF district are intense uses that may have a significant impact on public infrastructure such as roads, parking facilities, water, and sewer, and storm drainage systems.
6. The permitted uses in the CF district may have a significant impact on public services such as police, fire protection, and trash collection.

Due to the reasons listed above the staff is unable to recommend approval.

CRITERIA FOR REVIEW:

According to the UDC, zoning changes may be approved if the following criteria are met:

1. The zoning change is consistent with the Comprehensive Plan;
2. The zoning change promotes the health, safety, or general welfare of the City and the safe, orderly, and healthful development of the City;
3. The zoning change is compatible with and conforms with uses of nearby property and the character of the neighborhood;
4. The property affected by the zoning change is suitable for uses permitted by the proposed amendment to the zoning map;
5. Infrastructure, including roadway adequacy, sewer, water and storm water facilities, is or is committed to be available that is generally suitable and adequate for the proposed use; and
6. Zoning Variance requests will not be considered. Zoning changes must be made by Zoning Map Amendment. All amendments must be in accordance with the Comprehensive Plan, which may be amended according to the procedure in this Section. Newly annexed areas will be zoned during the annexation process.

In conclusion, it is staff's opinion that this rezoning request does not meet the criteria listed above. A rezoning process does not provide an opportunity to conduct additional review and detailed analysis to confirm that there will not be any detrimental effects to the City from all the uses permitted in CF district. These reviews occur later during the construction plan review and permitting phase. Also, rezoning does not allow the ability to impose restrictions and conditions to mitigate the adverse impacts.

Exhibit A: Aerial Map and Existing Site Conditions



Source: Google

Exhibit B: Current Zoning Map

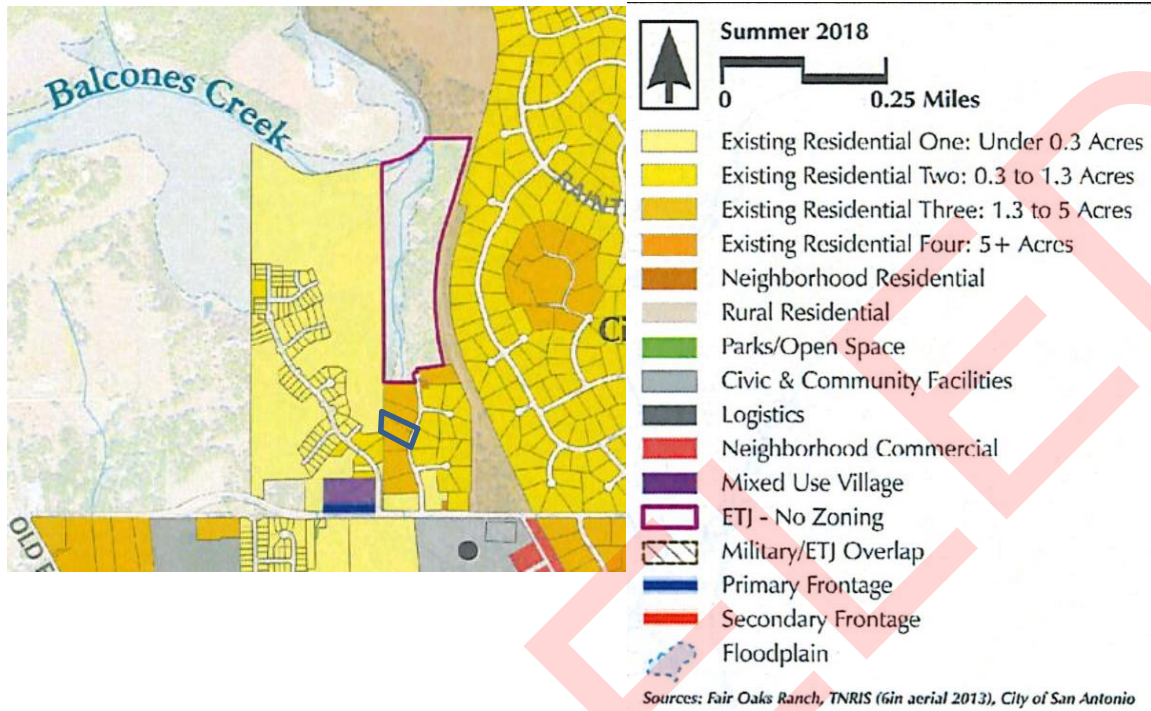


Exhibit C: Future Land Use Map (FLUM)

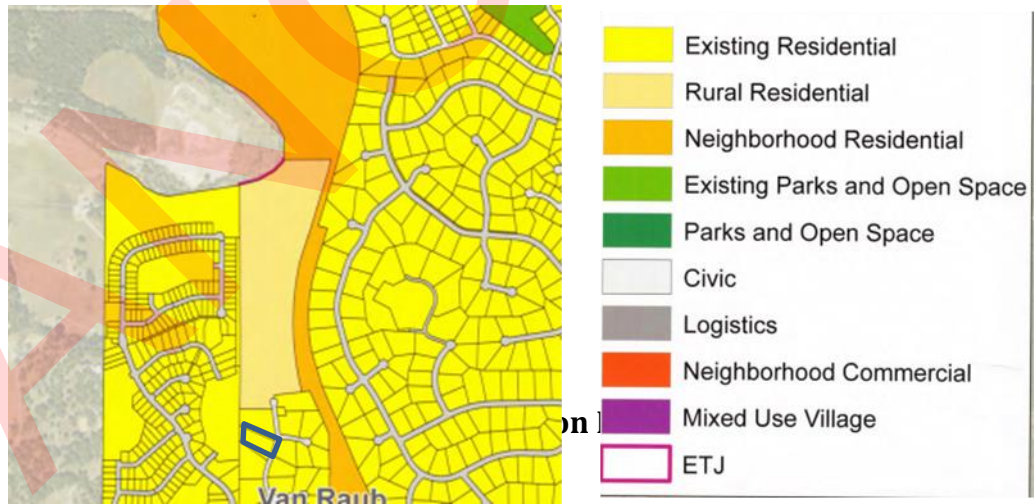
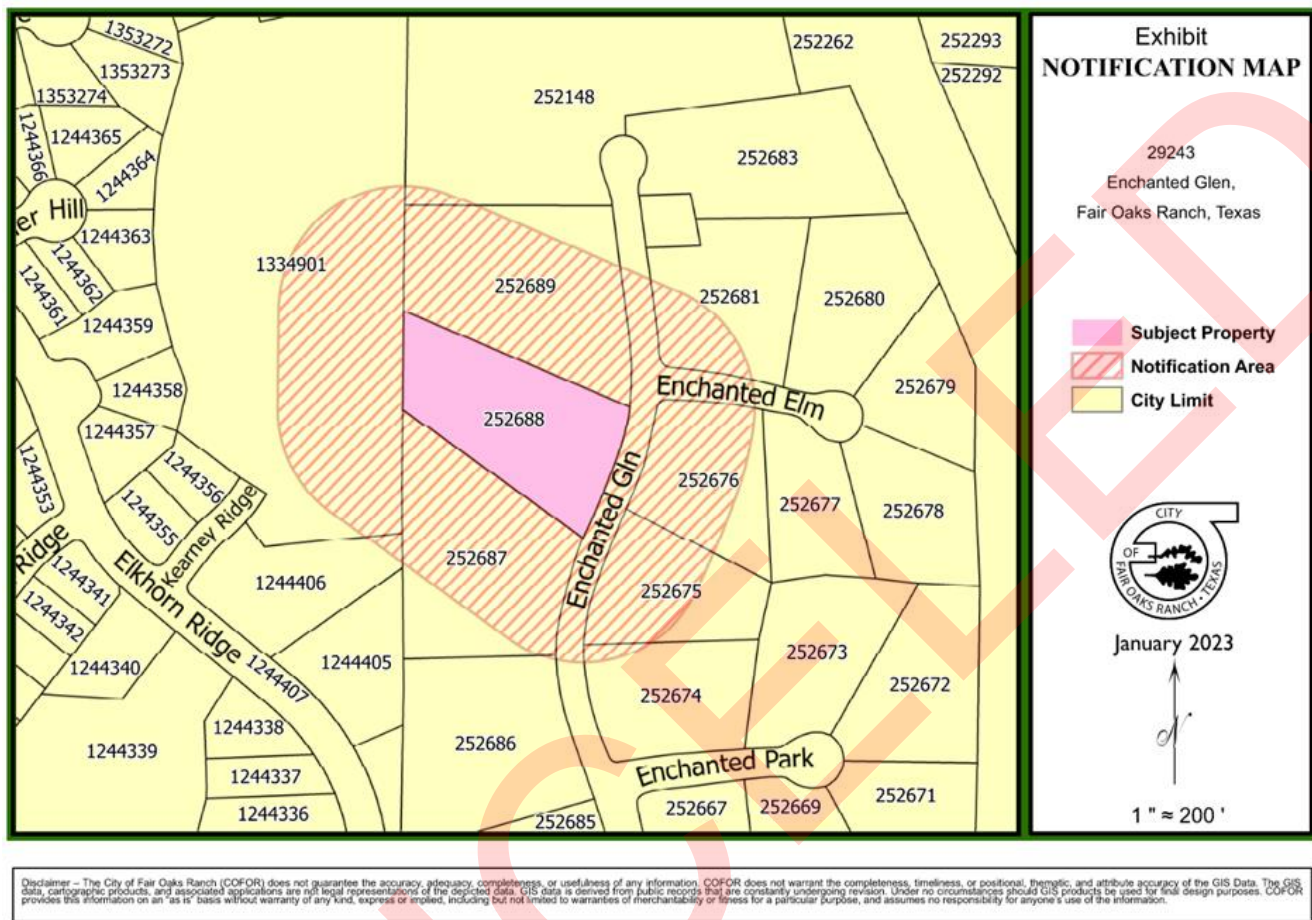


Exhibit D: Notification Map



Attachments:

1. Universal Application
2. S2 Rezoning Application Form
3. Supporting Documents Provided by the Applicant
4. Use Table
5. Property Owner Response Map
6. Property Owner Comment Forms



City of Fair Oaks Ranch

7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

PH: (210) 698-0900.FAX: (210) 698-3565. bcodes@fairoaksranchtx.org www.fairoaksranchtx.org

UNIVERSAL APPLICATION (FORM UA)

All applications must be submitted with:

- (1) A complete **Universal Application** form (2 pages), and
- (2) A complete **Specific Application Form** with all materials listed in the checklist for the specific application.

The City staff is available to assist you in person at City Hall or over the phone at (210) 698-0900.

DEVELOPMENT INFORMATION

Project Name/Address/Location: 29243 Enchanted Glen, Boerne, TX, 78015 Acreage: 1.57
 Brief Description of Project: Rezoning for Childcare
 Is property platted? ☐ No ☒ Yes Subdivision name: Enchanted Oaks No. of Lots: 1
 Recordation #: 834190 Parcel(s) Tax ID#: 252688
 Existing Use: Residential Proposed Use: Childcare/Educational
 Current Zoning: Existing Residential 3 Proposed Zoning: Community Facilities District
 Occupancy Type: _____ Sq. Ft: 2,117 Bed #: 3 Bath #: 2.5 Car Garage #: 2
 Water System ☒ Well ☐ Public Flood Zone: ☐ Yes ☒ No Sewer System: ☒ Septic ☐ Public

PROPERTY OWNER INFORMATION

Owner: Daniel & Lauren Tijerina
 Address: 29243 Enchanted Glen
 Phone: 210-387-6250
 Contact Name: Lauren Tijerina
 City/State/ZIP: Boerne, TX, 78015
 Email: lauren.tijerina88@gmail.com

APPLICANT INFORMATION

Applicant/Developer: Daniel & Lauren Tijerina
 Address: 29243 Enchanted Glen
 Phone: 210-387-6250
 Contact Name: Lauren Tijerina
 City/State/ZIP: Boerne, TX, 78015
 Email: lauren.tijerina88@gmail.com

KEY CONTACT INFORMATION

Name of the Individual: Lauren Tijerina
 Address: 29243 Enchanted Glen
 Phone: 210-387-6250
 Contact Name: Lauren Tijerina
 City/State/ZIP: Boerne, TX, 78015
 E-mail: lauren.tijerina88@gmail.com

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

Signature: Lauren Tijerina Lauren Tijerina Date: December 29, 2022

(Signed letter of authorization required if the application is signed by someone other than the property owner)

*****OFFICE USE ONLY*****

DATE REC'D: 01/03/2023 BY: KGS
 FEES PAID: \$600 APPROVED BY: _____
 DATE APPROVED: _____
 APPLICATION/PERMIT NO: _____ EXP DATE: _____

Applications shall be processed based on the City's official submission dates. When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda.

SPECIFIC APPLICATION FORM (S1-S39). Please check the appropriate type below:**Land Use Policy Related**

(Section 3.9 of the UDC)

- ☐ Annexation* - Form S1
- ☐ Comprehensive Plan Amendment (Text)
- ☐ Unified Development Code (UDC) Text Amendment
- ☒ Rezoning/ FLUM amendment* - Form S2
- ☐ Special Use Permit* - Form S3
- ☐ Planned Unit Development (PUD)* - Form S4
- ☐ Development Agreement
- ☐ Conservation Development Alternative* (CDA) (Section 4.8) - Form S5

Subdivision and Property Development Related

(Section 3.8 of the UDC)

- ☐ Amending Plat* - Form S6
- ☐ Minor Plat* - Form S7
- ☐ Development Plat* - Form S8
- ☐ Concept Plan** - Form S9
- ☐ Preliminary Plat* - Form S10
- ☐ Final Plat* - Form S11
- ☐ Replat* - Form S12
- ☐ Construction Plans* - Form S13
- ☐ Vacating Plat
- ☐ Plat Extension

Site Development Related

(Section 3.9 of the UDC)

- ☐ Vested Rights Verification Letter
- ☐ Zoning Verification Letter
- ☐ Written Interpretation of the UDC
- ☐ Temporary Use Permit* - Form S14
- ☐ Special Exception* - Form S15
- ☐ Site Development Permit* (Site Plan Review) - Form S16
- ☐ Floodplain Development Permit* - Form S17
- ☐ Stormwater Permit* - Form S18
- ☐ Certificate of Design Compliance* - Form S19

Appeal of an Administrative Decision

- ☐ Zoning ☐ Others

Variance

- ☐ Policy ☐ Judicial* - Form S20

- ☐ Sign Special Exception/Appeal to an Administrative Decision
- ☐ Administrative Exception
- ☐ Permit for Repair of Non-Conforming Use/Building
- ☐ Letter of Regulatory Compliance
- ☐ On-Site Sewage Facility Permit (OSSF)
- ☐ Certificate of Occupancy (CO)* - Form S21
- ☐ Relief from Signage Regulations
- ☐ Group Living Operation License* - Form S22
- ☐ Grading/Clearance Permit - Form S23

Building Permits Related**Commercial**

- ☐ New/Remodel/Addition* - Form S24
- ☐ Fence* - Form S25
- ☐ Miscellaneous* - Form S26

Residential

- ☐ New Home* - Form S27
- ☐ Remodel/Addition* - Form S28
- ☐ Detached Buildings* - Form S29

Others

- ☐ Solar* - Form S30
- ☐ Swimming Pool* - Form S31
- ☐ Demolition, Drive or Move
- ☐ New Lawn/Water* - Form S32
- ☐ Backflow Device/Irrigation Systems - Form S33
- ☐ Sign* (Permanent) - Form S34 A
- ☐ Sign* (Temporary) - Form S34 B
- ☐ Appeal of Denial of Sign Permit
- ☐ Master/ Common Signage Plan* - Form S35
- ☐ Water Heater or Water Softener* - Form S36
- ☐ Right-of-Way Construction* - Form S37
- ☐ Flatwork* - Form S38

Inspections

- ☐ Mechanical ☐ Electrical
- ☐ Plumbing ☐ Building
- ☐ Others _____

Water- Wastewater Service

- ☐ Connect/ Disconnect Form* - Form S39

*These types of applications require additional information as listed in the Specific Application Form. Refer to **Appendix B** of the Administrative Procedures Manual for more information.

** The Concept Plan is required for PUD and CDA, and for Rezoning if included in a previously approved Concept Plan.

Application Checklist for all Applications

- ☐ Universal Application Form (Form UA).
- ☐ Items listed in the checklist for the Specific Application Form (Form S#) ¹. (Please make sure the boxes are checked)
- ☐ Application Processing Fees and other application fees.
- ☐ Letter of intent explaining the request in detail and reason for the request.
- ☐ Signed Letter of Authorization required if the application is signed by someone other than the property owner.
- ☐ Site plan and shapefile drawings (if applicable) for the property
- ☐ Location map clearly indicating the site in relation to adjacent streets and other landmarks
- ☐ One (1) copy of proof of ownership (recorded property deed or current year tax statements)
- ☐ One (1) USB drive containing the general required documents in Adobe PDF format (if required)

¹For items that are duplicated in the specific type of application, only one copy is required.



City of Fair Oaks Ranch

Item #4.

7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

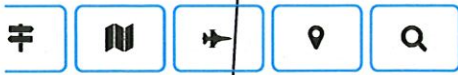
PH: (210) 698-0900 FAX: (210) 698-3565 bcodes@fairoaksranchtx.org www.fairoaksranchtx.org

S2 SPECIFIC APPLICATION FORM – REZONING/ FUTURE LAND USE MAP AMENDMENT

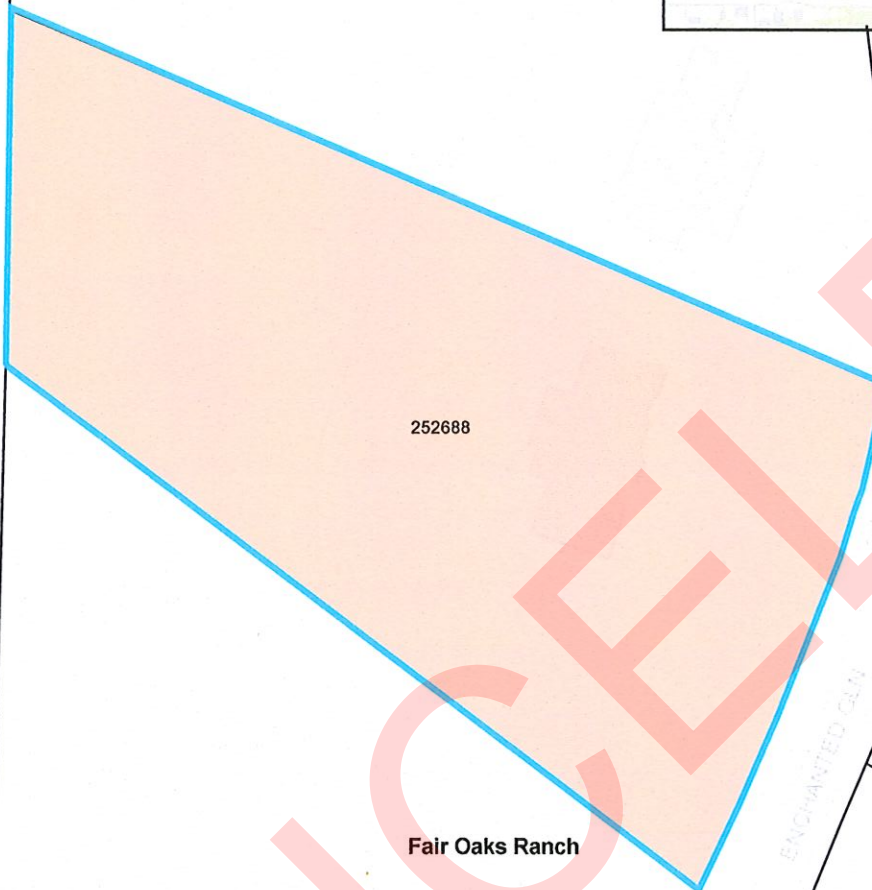
Section 3.7 of the Unified Development Code

The following steps must be completed, and the items must be submitted for the application to be deemed complete and processed:

- ☒ Pre-Application Conference prior to application submittal. *Jan. 5, 2023 @ 2 pm*
- ☐ Concept plan approval (if required).
- ☒ A completed Universal Application and checklist signed by the owner/s of the property.
- ☒ A title report.
- ☒ Payment of all other applicable fees (see Schedule of Fees).
- ☒ 8½ x 11 copy of the legal description (metes and bounds) of the area encompassing the request. If the property is platted, a copy of the plat should be provided. *(located in left pocket)*
- ☒ Location/vicinity map showing the location and boundaries of the proposed zoning. Indicate scale or not to scale (NTS) and provide north arrow.
- ☒ Acknowledgement that the sign posted by the City on the property fifteen (15) days prior to the public hearing will be maintained until the zone change is heard at the public hearing.
- ☒ Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- ☐ Electronic copies of the required exhibits in "PDF" format and shapefile for property boundary where applicable should be submitted in a USB flash drive or via email



252689



Fair Oaks Ranch

252688

252687

252676

252675

Show Search Results



December 29, 2023

To Whom It May Concern:

We are writing this to acknowledge that the sign posted by the city on our property, 29234 Enchanted Glenn, will be maintained until the zone change is heard at the public hearing beginning fifteen (15) days prior to the public hearing.

Lauren Tijerina



Daniel Tijerina



**ALBERT URESTI, MPA, PCAC**

Bexar County Tax Assessor-Collector

2022 REAL PROPERTY**04708-202-0050**

(ACCOUNT NUMBER)

12/29/2022

OWNER:

BULLER MICKEY RAY
29243 ENCHANTED GLEN
BOERNE, TX 78015

LEGAL DESCRIPTION:

CB: 4708B BLK: B LOT: 5 ENCHANTED OAKS
UNIT-1

LOCATION: 29243 ENCHANTED GLN**ACREAGE: 1.5700****APPAISED VALUE****CAP VALUE****HOMESTEAD VALUE****NON-QUAL VALUE****LAND****IMPROVEMENT**

220,210

326,770

0

546,980

0

AGRI. MKT VALUE**PROD VALUE**

0

0

ASSESSED VALUE

546,980

TAXING UNIT**EXEMPTIONS****TAXABLE VALUE****TAX RATE****TAX AMOUNT**

ROAD AND FLOOD	0	0	0	0	546,980	0.023668	129.46
ALAMO COMM COLLEGE	0	0	0	0	546,980	0.149150	815.82
HOSPITAL DISTRICT	0	0	0	0	546,980	0.276235	1,510.95
BEXAR COUNTY	0	0	0	0	546,980	0.276331	1,511.48
SA RIVER AUTHORITY	0	0	0	0	546,980	0.018360	100.43
FAIR OAKS RANCH	0	0	0	0	546,980	0.329100	1,800.11

TAXES FOR 2022:

\$5,868.25

PAYMENTS MADE FOR 2022 (EXCLUDING PENALTY AND INTEREST):

\$5,868.25

REMAINING AMOUNT DUE FOR 2022:

\$0.00

IF YOU BELIEVE THIS STATEMENT WAS MAILED TO YOU IN ERROR, PLEASE CALL OUR OFFICE AT (210) 335-2251.

DETACH HERE AND RETURN WITH PAYMENT

5.1.112

Para obtener informacion, por favor llame (210) 335-2251. Please call (210) 335-2251 for information.

ASSESSMENT RATIO FOR ALL UNITS IS 100%. SEE BACK OF STATEMENT OR NEWSLETTER FOR IMPORTANT TAX INFORMATION.

12/29/2022

2022 Payment Amount Due:

If paid in DEC 2022 0.00
 If paid in JAN 2023 0.00
 If paid in FEB 2023 0.00

DELINQUENT AFTER**JANUARY 31, 2023****AMOUNT PAID:****04708-202-0050**

BULLER MICKEY RAY
29243 ENCHANTED GLEN
BOERNE, TX 78015

MAKE CHECK PAYABLE TO:

ALBERT URESTI, MPA, PCAC
BEXAR COUNTY TAX ASSESSOR-COLLECTOR
P O BOX 2903
SAN ANTONIO, TX 78299-2903

047082020050400 0000000000 0000000000 0000000000 0000000000 0000000000 0000000000

SEP 18 P 253
HYPHSH

09/18/84

800379

230



LINE	BEARING	DISTANCE	AREA
1	N 81° 17' 00\"	100.00	100.00
2	S 81° 17' 00\"	100.00	100.00
3	N 81° 17' 00\"	100.00	100.00
4	S 81° 17' 00\"	100.00	100.00
5	N 81° 17' 00\"	100.00	100.00
6	S 81° 17' 00\"	100.00	100.00
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18	S 81° 17' 00\"	100.00	100.00
19	N 81° 17' 00\"	100.00	100.00
20	S 81° 17' 00\"	100.00	100.00
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99	N 81° 17' 00\"	100.00	100.00
100	S 81° 17' 00\"	100.00	100.00

STATE OF TEXAS
COUNTY OF BEXAR
I HEREBY CERTIFY THAT THIS PLAN IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

DATE: 9/18/84
BY: [Signature]
[Signature]

STATE OF TEXAS
COUNTY OF BEXAR
I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAN TO THE MATTER OF EVIDENT LOSS OR DAMAGE TO THE SURVEYOR'S PERSONAL PROPERTY OR TO THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE, EXCEPT FOR THOSE VARIANCES THAT MAY HAVE BEEN GRANTED BY THE PLANNING COMMISSION OF THE CITY.

DATE: 9/18/84
BY: [Signature]
[Signature]

STATE OF TEXAS
COUNTY OF BEXAR
I HEREBY CERTIFY THAT THIS PLAN IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

DATE: 9/18/84
BY: [Signature]
[Signature]

STATE OF TEXAS
COUNTY OF BEXAR
I HEREBY CERTIFY THAT THIS PLAN IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

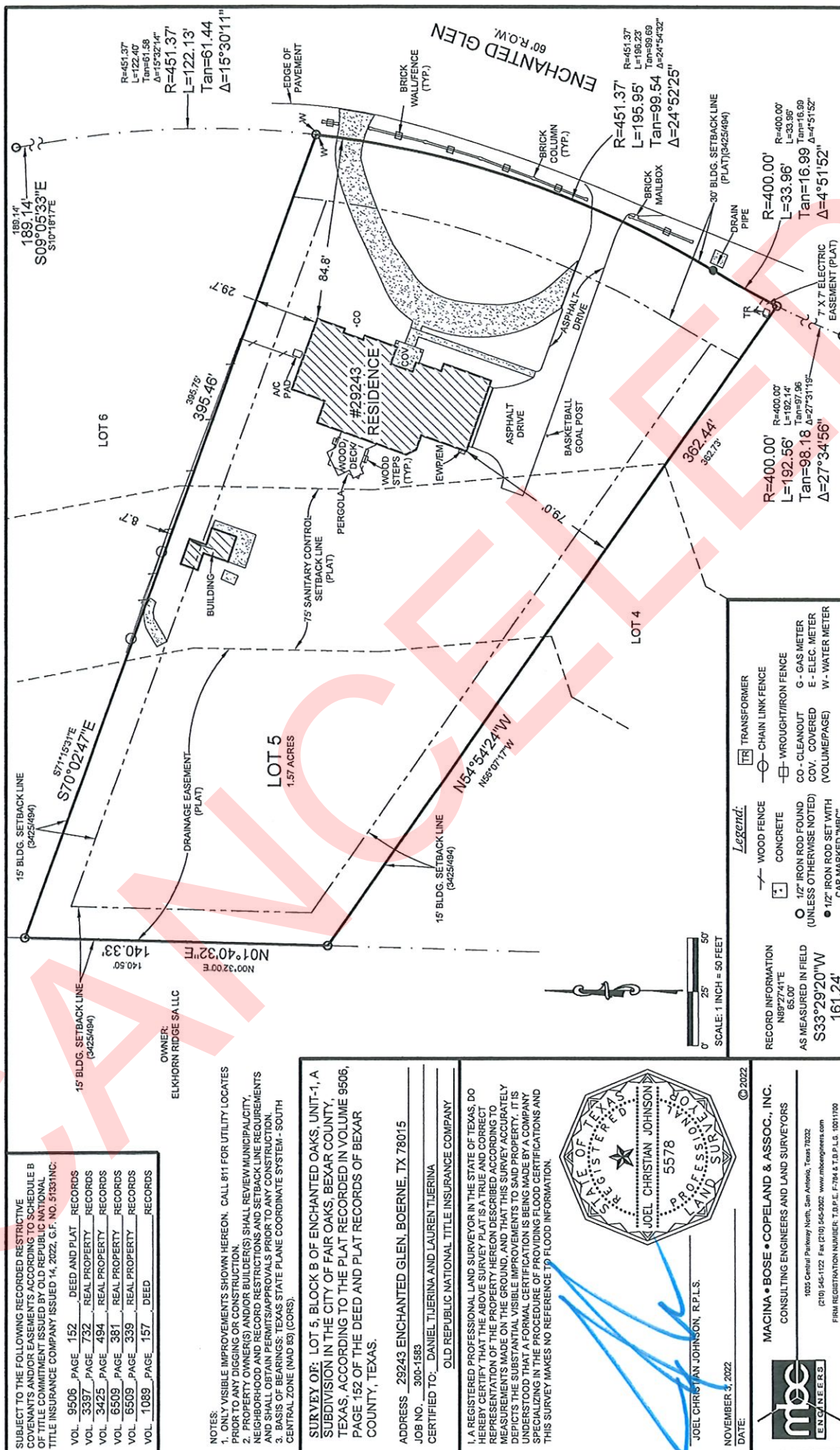
DATE: 9/18/84
BY: [Signature]
[Signature]

THE CITY OF SAN ANTONIO, TEXAS, IS THE OWNER OF THE LAND SHOWN ON THIS PLAN. THE CITY OF SAN ANTONIO, TEXAS, IS THE OWNER OF THE LAND SHOWN ON THIS PLAN. THE CITY OF SAN ANTONIO, TEXAS, IS THE OWNER OF THE LAND SHOWN ON THIS PLAN.



VOL 9506

152



December 29, 2023

To Whom It May Concern:

I am writing this letter of intent to explain our request and the reason for the request.

We are requesting a zone change from "Existing Residential 3" to "Community Facilities District". The reason for this request is to be able to use the property as a Licensed Childcare Center.

While we do need the zoning to be changed to have the licensed childcare center, we have no intention of changing the house that is currently on the property. The only changes that are planned are only normal residential updates such as interior painting, new flooring, etc. The state requires the property to be licensed as a "childcare center" instead of a "in-home daycare" since no one will be living in the house.

As an experienced educator my intent is to bring a childcare to this community that will feel like home for all. I previously taught first grade in Round Rock, TX for nine years. I also proudly ran a successful licensed in-home daycare for two and a half years in Leander, TX for preschool and pre-k aged kiddos. Since I moved my family back home to where I grew up, I have wanted to continue to educate, prepare and positively impact children and their families.

I appreciate your time and consideration and look forward to meeting with you all.

Thank you,



Lauren Tijerina

OKT/51331NC/PT

Warranty Deed

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: November 8, 2022

Grantor: Mickey Ray Buller, a single man

Grantor's Mailing Address: 7180 Presidio Ledge, Boerne, TX 78015

Grantee: Daniel Tijerina and Lauren Tijerina

Grantee's Mailing Address: 29243 Enchanted Glen, Boerne, Bexar County, Texas 78015

Consideration: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements): Lot 5, Block B of ENCHANTED OAKS, UNIT-1, a subdivision in the City of Fair Oaks, Bexar County, Texas according to the plat recorded in Volume 9506, Page 152 of the Deed and Plat Records of Bexar County, Texas.

Reservations from and Exceptions to Conveyance and Warranty: This conveyance, however, is made and accepted subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, assessments, reservations, outstanding mineral interests held by third parties, conditions, and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect and shown of record in the hereinabove mentioned County and State or to the extent that they are apparent upon reasonable inspection of the property; and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent they are still in effect and relating to the hereinabove described property.

The Contract between Grantor as the Seller and Grantee as the Buyer, if any, may contain limitations as to warranty or other agreed matters; to the extent that the Contract provides for any such limitations or other agreed matters to survive closing and this conveyance, then such limitations or other agreed matters are hereby deemed incorporated by reference. The warranty of title contained in this Deed is hereby expressly excluded from the limitations or other agreed matters referenced in this paragraph.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Warranty Deed

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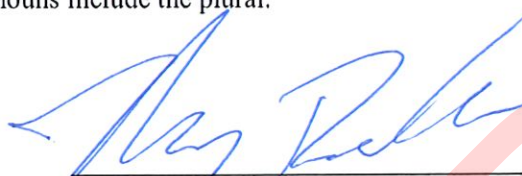
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When the context requires, singular nouns and pronouns include the plural.



Mickey Ray Buller

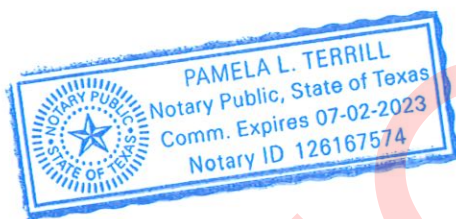
STATE OF TEXAS

COUNTY OF

Boxar

This instrument was acknowledged before me on this 8th day of November 2022, by Mickey Ray Buller.


Notary Public, State of Texas



AFTER RECORDING RETURN TO:
Daniel Tijerina and Lauren Tijerina
29243 Enchanted Glen
Boerne, Texas 78015

File Information

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

Document Number: 20220264681
Recorded Date: November 08, 2022
Recorded Time: 4:40 PM
Total Pages: 3
Total Fees: \$30.00

**** THIS PAGE IS PART OF THE DOCUMENT ****

**** Do Not Remove ****

Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 11/8/2022 4:40 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk



Old Republic National Title Insurance
115 N. Loop 1604 East, Suite 2200
San Antonio, TX 78232
Phone: 210-496-0002
Fax:

BUYER INFORMATION SHEET

GF #: 51331NC

BUYER NAME(S): Daniel Tijerina and Lauren Tijerina

BUYER'S ADDRESS AFTER CLOSING:

8023 Platinum Ct.
Boerne, Tx, 78015

BUYER 1 PHONE #:

512-739-9019

BUYER 2 PHONE #:

210-387-6250

HOME PHONE #:

E-MAIL ADDRESS:

d Daniel.Tijerina@gmail.com



BUYER'S WALK-THROUGH, CONFIRMATION, AND ACCEPTANCE FORM

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS®, INC. IS NOT AUTHORIZED.
©Texas Association of REALTORS®, Inc. 2022

CONCERNING THE PROPERTY AT

29243 Enchanted Glen, Boerne

NOTICE TO BUYER: The contract provides that the Seller will deliver possession of the Property to the Buyer in its present or required condition, ordinary wear and tear excepted. Before closing, the Buyer should verify that the condition of the Property meets the terms of the contract.

A. Inspections:

- ☒ (1) The Property was inspected by an inspector or inspectors of Buyer's choice. Buyer has reviewed the inspection report(s).
- ☐ (2) Buyer has chosen not to have the Property inspected.

B. Reinspections:

- ☒ (1) After completion of agreed repairs, the Property was inspected by an inspector or inspectors of Buyer's choice. Buyer has reviewed the inspection report(s).
- ☐ (2) Buyer has chosen not to have the Property reinspected.

C. Residential Service Contract:

- ☐ (1) Buyer has purchased a residential service contract.
- ☒ (2) Buyer has chosen not to purchase a residential service contract.

D. Before Closing Walk-Through:

- ☒ (1) Buyer has walked through and reviewed the Property before closing on 11/8/22.
- ☐ (2) Buyer chooses not to walk through or review the Property before closing.

E. Sight Unseen:

- ☒ (1) Buyer has visited and reviewed the Property in person.
- ☐ (2) Buyer chooses not to visit or review the Property in person and is purchasing the Property sight unseen.

F. Acceptance: Buyer accepts the Property in its present condition.

NOTICE TO BUYER: The brokers have no knowledge of any defects in the Property other than what has been disclosed in the Seller's Disclosure Notice or other written information the brokers may have provided. The brokers have no duty to inspect the property for unknown defects. It is the Buyer's responsibility to have inspections completed.

Buyer

11/8/22
Date

Buyer

Date

(TXR-1925) 07-08-22

Page 1 of 1

A. Settlement Statement

U.S. Department of Housing
and Urban Development

OMB No. 2502-0265

B. Type of Loan				6. File Number 51331NC		7. Loan Number		8. Mortgage Ins Case Number	
1. <input type="checkbox"/> FHA 2. <input type="checkbox"/> FinHA 3. <input type="checkbox"/> Conv Unins 4. <input type="checkbox"/> VA 5. <input type="checkbox"/> Conv Ins 6. <input type="checkbox"/> Seller Finance 7. <input checked="" type="checkbox"/> Cash Sale.									
C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.									
D. Name & Address of Borrower Daniel Tijerina and Lauren Tijerina 8023 Platinum Ct Boerne, TX 78015				E. Name & Address of Seller Mickey Ray Buller 29243 Enchanted Glen Boerne, TX 78015			F. Name & Address of Lender CASH TRANSACTION		
G. Property Location Enchanted Oaks Ut 1, 9506/152, CB 4708B, Block B, Lot 5, Bexar County 29243 Enchanted Glen Boerne, TX 78015				H. Settlement Agent Name Old Republic National Title Insurance 115 N. Loop 1604 East, Suite 2200 San Antonio, TX 78232 Tax ID: 41-0579050 Underwritten By: Old Republic			I. Settlement Date 11/8/2022 Fund: 11/8/2022		
J. Summary of Borrower's Transaction					K. Summary of Seller's Transaction				
100. Gross Amount Due from Borrower					400. Gross Amount Due to Seller				
101. Contract Sales Price		\$619,000.00			401. Contract Sales Price		\$619,000.00		
102. Personal Property					402. Personal Property				
103. Settlement Charges to borrower		\$705.00			403.				
104.					404.				
105.					405.				
Adjustments for Items paid by seller in advance					Adjustments for Items paid by seller in advance				
106. Bexar County Property Taxes 11/09/22 thru 12/31/22		\$852.10			406. Bexar County Property Taxes 11/09/22 thru 12/31/22		\$852.10		
107. Kendall County Property Taxes (Boerne IS) 11/09/22 thru 12/31/22		\$908.01			407. Kendall County Property Taxes (Boerne IS) 11/09/22 thru 12/31/22		\$908.01		
108. Assessment Taxes					408. Assessment Taxes				
109. School property taxes					409. School property taxes				
110. HOA Dues					410. HOA Dues				
111. Other taxes					411. Other taxes				
112.					412.				
113.					413.				
114.					414.				
115.					415.				
116.					416.				
120. Gross Amount Due From Borrower		\$621,465.11			420. Gross Amount Due to Seller		\$620,760.11		
200. Amounts Paid By Or in Behalf Of Borrower					500. Reductions in Amount Due to Seller				
201. Deposit or earnest money		\$6,000.00			501. Excess Deposit				
202. Principal amount of new loan(s)					502. Settlement Charges to Seller (line 1400)		\$42,098.55		
203. Existing loan(s) taken subject to					503. Existing Loan(s) Taken Subject to				
204. Loan Amount 2nd Lien					504. Payoff of first mortgage loan to Rocket Mortgage, L.L.C.		\$267,061.36		
205.					505. Payoff of second mortgage loan to				
206.					506.				
207.					507.				
208. Option Fee held in Escrow		\$100.00			508.				
209. Seller Contribution		\$500.00			509. Seller Contribution		\$500.00		
Adjustments for Items unpaid by seller					Adjustments for Items unpaid by seller				
210. Bexar County Property Taxes					510. Bexar County Property Taxes				
211. Kendall County Property Taxes (Boerne IS)					511. Kendall County Property Taxes (Boerne IS)				
212. Assessment Taxes					512. Assessment Taxes				
213. School property taxes					513. School property taxes				
214. HOA Dues					514. HOA Dues				
215. Other taxes					515. Other taxes				
216.					516.				
217.					517.				
218.					518.				
219.					519.				
220. Total Paid By/For Borrower		\$6,600.00			520. Total Reduction Amount Due Seller		\$309,659.91		
300. Cash At Settlement From/To Borrower					600. Cash At Settlement To/From Seller				
301. Gross Amount due from borrower (line 120)		\$621,465.11			601. Gross Amount due to seller (line 420)		\$620,760.11		
302. Less amounts paid by/for borrower (line 220)		\$6,600.00			602. Less reductions in amt. due seller (line 520)		\$309,659.91		
303. Cash From Borrower		\$614,865.11			603. Cash To Seller		\$311,100.20		

Section 5 of the Real Estate Settlement Procedures Act (RESPA) requires the following:

- HUD must develop a Special Information Booklet to help persons borrowing money to finance the purchase of residential real estate to better understand the nature and costs of real estate settlement services;
- Each lender must provide the booklet to all applicants from whom it receives or for whom it prepares a written application to borrow money to finance the purchase of residential real estate;
- Lenders must prepare and distribute with the Booklet a Good Faith Estimate of the settlement costs that the borrower is likely to incur in connection with the settlement. These disclosures are mandatory.

Section 4(a) of RESPA mandates that HUD develop and prescribe this standard form to be used at the time of loan settlement to provide full disclosure of all charges imposed upon the borrower and seller. These are third party disclosures that are designed to provide the borrower with pertinent information during the settlement process in order to be a better shopper.

The Public Reporting Burden for this collection of information is estimated to average one hour per response, including the time for reviewing instructions searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

The information requested does not lend itself to confidentiality.

L. Settlement Charges				Paid From	Paid From
700. Total Sales/Broker's Commission based on price	\$619,000.00	@5 % = \$30,950.00		Borrower's Funds at Settlement	Seller's Funds at Settlement
Division of Commission (line 700) as follows:					
701. \$15,475.00	to Vivid Realty, LLC				
702. \$15,475.00	to Real Brokerage				
703. Commission Paid at Settlement				\$0.00	\$30,950.00
704. The Following Parties/Persons	to				
705. Firms, or Corporations have received	to				
706. a portion of the Real Estate Commission	to				
707. Shown Above/T.Rogers/A.Grothues	to				
800. Items Payable in Connection with Loan					
801. Loan Origination Fee %	to				
802. Loan Discount %	to				
803. Appraisal Fee	to				
804. Credit Report	to				
805. Lender's Inspection Fee	to				
806. Mortgage Insurance Application	to				
807. Assumption Fee	to				
808. Flood Certification Fee	to				
809. Application Fee	to				
810. Tax Research Fee	to				
811. Underwriting Fee	to				
812. Processing Fee	to				
900. Items Required by Lender To Be Paid in Advance					
901. Interest from 11/8/2022 to 12/1/2022 @ \$0/day					
902. Mortgage Insurance Premium for months	to				
903. Hazard Insurance Premium for years	to				
1000. Reserves Deposited With Lender					
1001. Hazard insurance	months @	per month			
1002. Mortgage insurance	months @	per month			
1003. City property taxes	months @	per month			
1004. Kendall County Property Taxes (Boerne IS	months @	per month			
1005. Assessment Taxes	months @	per month			
1006. School property taxes	months @	per month			
1007. HOA Dues	months @	per month			
1008. Other taxes	months @	per month			
1011. Aggregate Adjustment					
1100. Title Charges					
1101. Settlement or closing fee	to				
1102. Abstract or title search	to				
1103. Title examination	to				
1104. Title insurance binder	to				
1105. Document preparation	to Pena and Pena, PLLC				\$75.00
1106. Notary fees	to				
1107. Attorney's fees	to				
(includes above items numbers:)				
1108. Title insurance	to Old Republic National Title				\$3,567.00
(includes above items numbers:)				
1109. Lender's coverage	\$0.00/\$0.00				
1110. Owner's coverage	\$619,000.00/\$3,745.35				
1111. TX Escrow fee	to Old Republic National Title			\$475.00	\$475.00
1112. Copy Fees	to Old Republic National Title			\$10.00	\$10.00
1113. State of Texas Policy Guaranty Fee	to Texas Title Insurance Guaranty Association			\$0.00	\$2.00
1114. E-Recording and Processing Fee	to EPN			\$35.00	
1115. Notary Service Fee	to Grace N. Garcia			\$125.00	
1116. Wire Processing Fee	to Old Republic National Title			\$30.00	\$30.00
1117. Courier/Delivery Fee	to Old Republic National Title				
1118. TIR Survey Amend End RES GFE#5	to Old Republic National Title				\$178.35
1200. Government Recording and Transfer Charges					
1201. Recording Fees Deed \$30.00 ; Mortgage ; Rel	to EPN			\$30.00	
1202. City/county tax/stamps Deed ; Mortgage	to				
1203. State tax/stamps Deed ; Mortgage	to				
1204. Tax Certificates	to J. L. Gross & Company				\$47.95
1300. Additional Settlement Charges					
1301. 2022 Property Taxes	to Bexar County Tax Assessor Collector				\$5,868.25
1302. 2022 Boerne ISD Taxes	to Kendall County Tax Assessor-Collector POC (H) \$6,446.71				
1303. New Survey	to MBC Engineers				\$895.00
1304. HOA Resale Fee	to				
1305. Home Warranty Service Contract	to				
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)				\$705.00	\$42,098.55

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a completed copy of pages 1, 2 and 3 of this HUD-1 Settlement Statement.

Daniel Tijerina

Lauren Tijerina

Counter Signature

Mickey Ray Buller

SETTLEMENT AGENT CERTIFICATION

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused the funds to be disbursed in accordance with this statement.

Settlement Agent

Date

Warning: It is a crime to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine and imprisonment. For details see: Title 18 U.S. Code Section 1001 and Section 1010.

Previous Editions are Obsolete

Page 2

form HUD-1 (3/86)
Handbook 4305.2

Daniel Tijerina

Counter signature

Mickey Ray Bullock

Lauren Tijerina

SETTLEMENT AGENT CERTIFICATION

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused the funds to be disbursed in accordance with this agreement.

Settlement Agent

Date

Warning: It is a crime to knowingly make false statements to the United States on this or any other similar form. Penalties upon conviction can include a fine and imprisonment. For details see: Title 18 U.S. Code Section 1001 and Section 1010.

Previous Editions are Obsolete

Page 2

Form HUD-1 (3/86)
Handbook 4305.2

Warranty Deed

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: November 8, 2022

Grantor: Mickey Ray Buller, a single man

Grantor's Mailing Address: 7180 Presidio Ledge, Boerne, TX 78015

Grantee: Daniel Tijerina and Lauren Tijerina

Grantee's Mailing Address: 29243 Enchanted Glen, Boerne, Bexar County, Texas 78015

Consideration: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

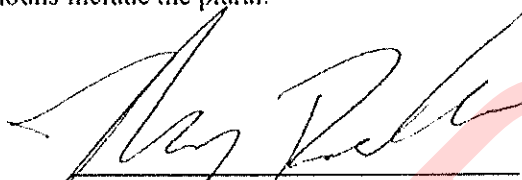
Property (including any improvements): Lot 5, Block B of ENCHANTED OAKS, UNIT-1, a subdivision in the City of Fair Oaks, Bexar County, Texas according to the plat recorded in Volume 9506, Page 152 of the Deed and Plat Records of Bexar County, Texas.

Reservations from and Exceptions to Conveyance and Warranty: This conveyance, however, is made and accepted subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, assessments, reservations, outstanding mineral interests held by third parties, conditions, and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect and shown of record in the hereinabove mentioned County and State or to the extent that they are apparent upon reasonable inspection of the property; and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent they are still in effect and relating to the hereinabove described property.

The Contract between Grantor as the Seller and Grantee as the Buyer, if any, may contain limitations as to warranty or other agreed matters; to the extent that the Contract provides for any such limitations or other agreed matters to survive closing and this conveyance, then such limitations or other agreed matters are hereby deemed incorporated by reference. The warranty of title contained in this Deed is hereby expressly excluded from the limitations or other agreed matters referenced in this paragraph.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.


When the context requires, singular nouns and pronouns include the plural.

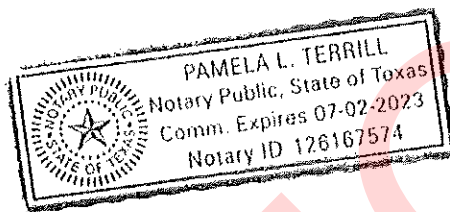

Mickey Ray Buller

STATE OF TEXAS

COUNTY OF Bexar

This instrument was acknowledged before me on this 8th day of November 2022, by Mickey Ray Buller.


Notary Public, State of Texas



AFTER RECORDING RETURN TO:
Daniel Tijerina and Lauren Tijerina
29243 Enchanted Glen
Boerne, Texas 78015

Affiliated Business Arrangement Disclosure Statement

To: Daniel Tijerina and Lauren Tijerina Property: 29243 Enchanted Glen
 Mickey Ray Buller Boerne, TX 78015
 From: Old Republic National Title Insurance Company Date: November 4, 2022

This is to give you notice that Old Republic Title has a business relationship with eRecording Partners ("ePN"). ePN is a subsidiary of Old Republic National Title Insurance Company.

Set forth below is the estimated charge or range of charges for the settlement services listed. You are NOT required to use the listed provider as a condition for settlement of your purchase, sale, or refinance of the subject property. THERE ARE FREQUENTLY OTHER SETTLEMENT SERVICE PROVIDERS AVAILABLE WITH SIMILAR SERVICES. YOU ARE FREE TO SHOP AROUND TO DETERMINE THAT YOU ARE RECEIVING THE BEST SERVICES AND THE BEST RATE FOR THESE SERVICES.

ePN Fee Schedule, Texas

SERVICE/DOCUMENT	FEE
------------------	-----

PROCESSING FEE

Per File Processing Fee \$35.00

RECORDING FEES

Per Document Recording Fee Actual Cost Imposed by County
 Estimates may be used if documents are not received before the Settlement Statement is finalized

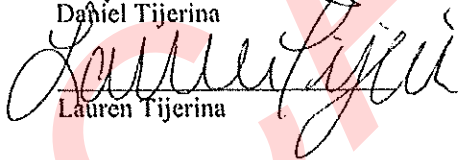
ACKNOWLEDGEMENT

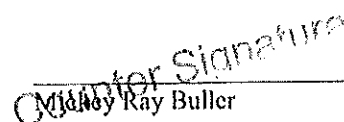
I/we have read this disclosure form, and understand that Old Republic Title is referring me/us to purchase the above-described settlement service(s) and that ePN is a subsidiary of Old Republic Title.

Buyers:

Sellers:


 Daniel Tijerina


 Lauren Tijerina


 Mickey Ray Buller

Affiliated Business Arrangement Disclosure Statement

To: Daniel Tijerina and Lauren Tijerina Property: 29243 Enchanted Glen
 Mickey Ray Buller Boerne, TX 78015
 From: Old Republic National Title Insurance Company Date: November 4, 2022

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ePN Fee Schedule, Texas

SERVICE/DOCUMENT	FEE
------------------	-----

PROCESSING FEE

Per File Processing Fee \$35.00

RECORDING FEES

Per Document Recording Fee Actual Cost Imposed by
 County
 Estimates may be used if
 documents are not received
 before the Settlement
 Statement is finalized

ACKNOWLEDGEMENT

I/we have read this disclosure form, and understand that Old Republic Title is referring me/us to purchase the above-described settlement service(s) and that ePN is a subsidiary of Old Republic Title.

Buyers:

 Daniel Tijerina

 Lauren Tijerina

Sellers:

 Mickey Ray Buller

CLOSING ACKNOWLEDGMENT AND DISCLOSURE FORM (Sale/Purchase Transaction)

Date November 04, 2022
 GF: 51331NC
 PROPERTY: 29243 Enchanted Glen, Boerne, TX 78015, (the Property)
 BUYER: Daniel Tijerina and Lauren Tijerina
 SELLER: Mickey Ray Buller

By signing this affidavit, SELLER and/or BUYER acknowledges their understanding of the disclosures being made by OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY (hereinafter called "OLD REPUBLIC") and affirms the representations made by them to OLD REPUBLIC as indicated below.

Buyer's
Initials

Seller's
Initials

DT
LT

- 1) **WAIVER OF INSPECTION.** In consideration of the issuance of an Owner's Policy of Title Insurance by OLD REPUBLIC to BUYER and subject to the Policy's terms and conditions, Buyer hereby waives any obligation on the part of OLD REPUBLIC to inspect the Property. Buyer agrees to an exception as to "RIGHTS OF PARTIES IN POSSESSION". Within the meaning of this exception, "possession" includes open acts of visible evidence of occupancy including any visible and apparent roadway or easement on or across all or any part of the Property, but this exception does not extend to any right, claim, or interest evidenced by a document recorded in the real estate records maintained by the County Clerk of the county in which the Property is located. BUYER agrees to be fully responsible for inspecting the Property to determine the rights of any party in possession and assumes full responsibility for obtaining possession from its present occupants.

However, if you do not initial this paragraph you refuse to accept an Owner's Policy of Title Insurance containing an exception as to "RIGHTS OF PARTIES IN POSSESSION". OLD REPUBLIC may require an inspection of the Property and additional charges may be assessed for the reasonable and actual costs of such an inspection. OLD REPUBLIC may make additional exceptions to title which may be included in said Owner's Policy of Title Insurance for matters revealed by such inspection.

DT
LT

- 2) **RECEIPT OF COMMITMENT.** BUYER acknowledges having received and reviewed a copy of the Commitment for Title Insurance issued in connection with the above referenced transaction and copies of the documents described therein, and understands that the Owner's Policy of Title Insurance issued to BUYER will contain the exceptions set forth in the Commitment, together with any additional exceptions to title resulting from the documents involved in this transaction.
- 3) **UNSURVEYED PROPERTY.** BUYER understands that an acceptable survey of the Property has not been furnished in connection with this transaction and that the Owner's Policy of Title Insurance to be issued to BUYER will not provide title insurance coverage against encroachments and/or protrusions of improvements, boundary conflicts, or other matters that would be found by a survey.

DT
LT

- 4) **ACCEPTANCE OF SURVEY.** BUYER has received and reviewed a copy of the survey of the Property to be used in connection with this transaction and accepts the same subject to any and all easements, encroachments, conflicts and discrepancies shown thereon. BUYER hereby releases and holds harmless TITLE COMPANY from any liability in regard to any and all survey matters. BUYER further acknowledges that TITLE COMPANY has made no representations, guarantees, or affirmations as to the sufficiency or adequacy of said survey, or the consequences of the matters shown on said survey.

DT
LT

- 5) **ACCEPTANCE OF PROPERTY.** BUYER accepts the Property in its present condition, acknowledges that TITLE COMPANY has not made any representations as to the condition of the Property, and releases and holds harmless TITLE COMPANY from any and all liability in regard to the condition of the Property.

- Buyer's Initials
- 6) **PRIOR YEAR TAXES PAID.** SELLER certifies all taxes for prior years have been paid in full. The undersigned SELLER further agrees to reimburse TITLE COMPANY for any and all unpaid taxes, penalties, interest and reasonable attorneys fees due to taxes being due and/or unpaid as determined by the appropriate taxing authorities. SELLER further agrees that any default in prior payment of property taxes, either current or delinquent, will on demand be promptly reimbursed by SELLER to TITLE COMPANY. Seller's Initials MB
- 7) **CLOSING DISCLAIMER.** OLD REPUBLIC does not consider the above referenced transaction completely closed until: MB
- A) All title requirements are completed to the satisfaction of OLD REPUBLIC;
 - B) All necessary documents are properly executed, reviewed and accepted by the parties to this transaction and by OLD REPUBLIC;
 - C) All funds are collected, delivered to, and accepted by the parties to this transaction and their lienholder(s), if any.
- BUYER and SELLER further recognize that OLD REPUBLIC has no obligation to defend possession of the Property, or to insure title to the Property, until such time as the requirements above have been satisfied.
- 8) **IRS REPORTING.** SELLER acknowledges having received at closing a copy of the Closing Disclosure or Settlement Statement as a Substitute Form 1099-S. In accordance with federal tax regulations, information from the Closing Disclosure or Settlement Statement will be furnished to the Internal Revenue Service. MB
- 9) **PAYOFF.** The amount due lienholder was furnished by the lienholder or its representative and is good only through the date shown thereon. Should there be any discrepancies, OLD REPUBLIC is authorized to disburse additional funds requested by the lienholder and adjust net due seller in a like amount. Should OLD REPUBLIC be requested to advance funds to correct this discrepancy, Seller agrees to reimburse OLD REPUBLIC. MB
- 10) **ATTORNEY REPRESENTATION.** BUYER may wish to consult an attorney to discuss the matters shown on Schedule B or C of the Commitment for Title Insurance that was issued in connection with this transaction. These matters will affect the title and use of the Property. The Owner's Policy of Title Insurance will be legal contract between BUYER and OLD REPUBLIC. Neither the Commitment for Title Insurance nor the Owner's Policy of Title Insurance are abstracts of title, title reports or representations of title, but rather the Commitment for Title Insurance is prepared for the benefit of OLD REPUBLIC and the Owner's Policy of Title Insurance is a contract of indemnity. No representation is made that the intended use of the Property is allowed under law or under the restrictions or exceptions affecting the Property.
- 11) **ERRORS AND OMISSIONS.** In the event that any of the documents prepared in connection with closing of this transaction contain errors which misstate or inaccurately reflect the true and correct terms, conditions and provisions of this closing, and the inaccuracy or misstatement is due to a clerical error or to a unilateral mistake on the part of OLD REPUBLIC, or to a mutual mistake on the part of OLD REPUBLIC and/or the SELLER and/or the BUYER, the undersigned agree to execute, in a timely manner, such correction documents as OLD REPUBLIC may deem necessary to remedy such inaccuracy or misstatement. MB

Buyer's
InitialsSeller's
Initials

- 6) **PRIOR YEAR TAXES PAID.** SELLER certifies all taxes for prior years have been paid in full. The undersigned SELLER further agrees to reimburse TITLE COMPANY for any and all unpaid taxes, penalties, interest and reasonable attorneys fees due to taxes being due and/or unpaid as determined by the appropriate taxing authorities. SELLER further agrees that any default in prior payment of property taxes, either current or delinquent, will on demand be promptly reimbursed by SELLER to TITLE COMPANY.

- 7) **CLOSING DISCLAIMER.** OLD REPUBLIC does not consider the above referenced transaction completely closed until:

- A) All title requirements are completed to the satisfaction of OLD REPUBLIC;
- B) All necessary documents are properly executed, reviewed and accepted by the parties to this transaction and by OLD REPUBLIC;
- C) All funds are collected, delivered to, and accepted by the parties to this transaction and their lienholder(s), if any.

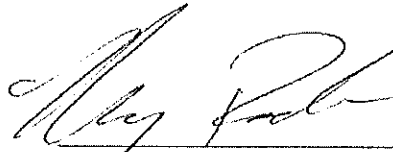
BUYER and SELLER further recognize that OLD REPUBLIC has no obligation to defend possession of the Property, or to insure title to the Property, until such time as the requirements above have been satisfied.

- 8) **IRS REPORTING.** SELLER acknowledges having received at closing a copy of the Closing Disclosure or Settlement Statement as a Substitute Form 1099-S. In accordance with federal tax regulations, information from the Closing Disclosure or Settlement Statement will be furnished to the Internal Revenue Service.

- 9) **PAYOFF.** The amount due lienholder was furnished by the lienholder or its representative and is good only through the date shown thereon. Should there be any discrepancies, OLD REPUBLIC is authorized to disburse additional funds requested by the lienholder and adjust net due seller in a like amount. Should OLD REPUBLIC be requested to advance funds to correct this discrepancy, Seller agrees to reimburse OLD REPUBLIC.

- 10) **ATTORNEY REPRESENTATION.** BUYER may wish to consult an attorney to discuss the matters shown on Schedule B or C of the Commitment for Title Insurance that was issued in connection with this transaction. These matters will affect the title and use of the Property. The Owner's Policy of Title Insurance will be legal contract between BUYER and OLD REPUBLIC. Neither the Commitment for Title Insurance nor the Owner's Policy of Title Insurance are abstracts of title, title reports or representations of title, but rather the Commitment for Title Insurance is prepared for the benefit of OLD REPUBLIC and the Owner's Policy of Title Insurance is a contract of indemnity. No representation is made that the intended use of the Property is allowed under law or under the restrictions or exceptions affecting the Property.

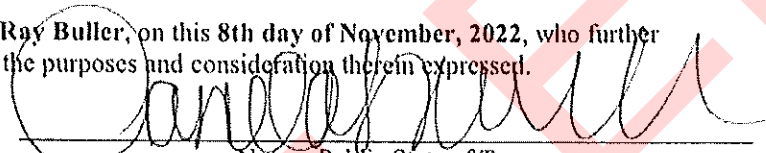
- 11) **ERRORS AND OMISSIONS.** In the event that any of the documents prepared in connection with closing of this transaction contain errors which misstate or inaccurately reflect the true and correct terms, conditions and provisions of this closing, and the inaccuracy or misstatement is due to a clerical error or to a unilateral mistake on the part of OLD REPUBLIC, or to a mutual mistake on the part of OLD REPUBLIC and/or the SELLER and/or the BUYER, the undersigned agree to execute, in a timely manner, such correction documents as OLD REPUBLIC may deem necessary to remedy such inaccuracy or misstatement.

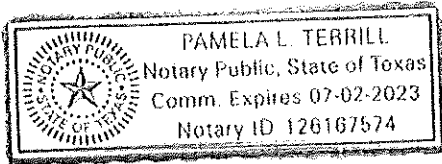

Mickey Ray Buller

STATE OF TEXAS


COUNTY OF BEXAR

Sworn to and subscribed before me by the said Mickey Ray Buller, on this 8th day of November, 2022, who further acknowledged to me that he/she/they executed same for the purposes and consideration therein expressed.


Notary Public State of Texas



Daniel Tijerina


Lauren Tijerina

STATE OF TEXAS

COUNTY OF BEXAR

Sworn to and subscribed before me by the said Daniel Tijerina and Lauren Tijerina, on this 8th day of November, 2022, who further acknowledged to me that he/she/they executed same for the purposes and consideration therein expressed.

Notary Public State of Texas

Mickey Ray Buller

Counter Signature

STATE OF TEXAS

COUNTY OF BEXAR

Sworn to and subscribed before me by the said Mickey Ray Buller, on this 8th day of November, 2022, who further acknowledged to me that he/she/they executed same for the purposes and consideration therein expressed.

Notary Public State of Texas

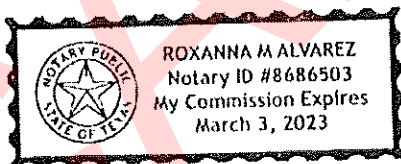
Daniel Tijerina

Lauren Tijerina

STATE OF TEXAS

COUNTY OF BEXAR

Sworn to and subscribed before me by the said Daniel Tijerina and Lauren Tijerina, on this 8th day of November, 2022, who further acknowledged to me that he/she/they executed same for the purposes and consideration therein expressed.



Notary Public State of Texas



TAX PRORATION AGREEMENT

DATE November 04, 2022
 GF: 51331NC
 PROPERTY: Lot 5, Block B of ENCHANTED OAKS, UNIT-1, a subdivision in the City of Fair
 (the "Property") Oaks, Bexar County, Texas according to the plat recorded in Volume 9506, Page 152
 of the Deed and Plat Records of Bexar County, Texas.

BUYER: Daniel Tijerina and Lauren Tijerina
 SELLER: Mickey Ray Buller

I/We, the Seller(s), claim that this Property has been my/our homestead since: 7/1/22

MRB
 INITIALS

If applicable, this transaction involves a Property that currently carries the following exemption(s):

- ☐ Homestead Exemption
☐ Over 65 Exemption
☐ Disability Exemption
☐ Veterans' Exemption

There are three possibilities after closing with respect to these exemption(s):

- (1) **The Seller does not move the exemption(s) to a different property.** In this case, the exemption(s) may continue until December 31st of the year in which the sale takes place. However, the county retains the right to remove these exemption(s) even if the Seller does not establish a new homestead; OR
- (2) **The Seller does move the exemption(s) to a different property.** In this case, the assessor could delete the exemption(s) for the balance of the year which could mean the remaining portion of the year is higher than the portion prior to closing; OR
- (3) **Both Buyer and Seller qualify for exemption(s).** In this case, the Buyer(s) can avoid the proration problem by applying for one or all of the exemption(s) in their own right.

Old Republic National Title Insurance Company ("ORT") is not aware of the intent of the Seller(s) with respect to a new home or their plans for the exemptions that are currently on the Property. Additionally, ORT does not know whether the Buyer(s) are entitled to the exemptions.

Therefore, in connection with the Property, the undersigned hereby give recognition to the following facts regarding ad valorem taxes:

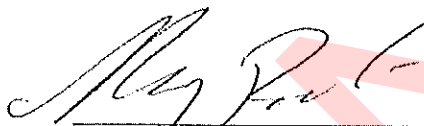
- (1) The tax figures used in the proration at closing were based on the most recent figures available, which may include only taxes for the prior year(s) or estimates using the appraised value and estimated tax rates for the current year and may not include taxes for new construction. Such estimates may include exemptions obtained by the Seller for which Buyer may not qualify, the removal of which may substantially increase the amount of the taxes payable by the Buyer. The accuracy of such taxes cannot and is not guaranteed or verified by ORT. Should the actual tax figures for the year prove to be different, resulting in the necessity for adjustment, the undersigned agree and consent to make appropriate adjustments between themselves, and ORT shall have no responsibility in this regard.
- (2) In the event that some or all of the Property is or has been subject to reduced ad valorem taxes because all or a portion of the Property has been designated for agricultural, homestead, Over 65, Disabled Veteran, or Open

Space valuation, or as otherwise fully or partially exempt from taxation, and if the Property is subject to rollback or supplemental taxes for prior years that may be recaptured or assessed by various taxing authorities because of a change in use or ownership of the Property, the parties agree that, upon receipt of tax statements from the various taxing authorities relating to any taxes, including rollback or supplemental taxes, the parties shall promptly paid said taxes to the assessed taxes against the Property to the appropriate taxing authorities in accordance with the Contract pursuant to which this transaction has been closed.


- (3) Seller recognizes their responsibility for all taxes prior to the date of closing the subject transaction. Should it develop at a later time that taxes other than those collected at closing are due for prior years, Seller agrees to make full payment to ORT for this amount.
- (4) Buyer understands that the amount being prorated for current year taxes is the best possible estimate available at the time of closing and recognizes their responsibility for current year taxes. Further, Buyer understands it is their responsibility to notify the appraisal district of the change in ownership of the subject property.

GROSS TAX FIGURES

City:	\$0.00
State and County:	\$5,868.25
School:	\$6,446.71
Other:	\$0.00
Other:	\$0.00
	\$0.00


Mickey Ray Buller


Daniel Tijerina


Lauren Tijerina

Space valuation, or as otherwise fully or partially exempt from taxation, and if the Property is subject to rollback or supplemental taxes for prior years that may be recaptured or assessed by various taxing authorities because of a change in use or ownership of the Property, the parties agree that, upon receipt of tax statements from the various taxing authorities relating to any taxes, including rollback or supplemental taxes, the parties shall promptly paid said taxes to the assessed taxes against the Property to the appropriate taxing authorities in accordance with the Contract pursuant to which this transaction has been closed.

- (3) Seller recognizes their responsibility for all taxes prior to the date of closing the subject transaction. Should it develop at a later time that taxes other than those collected at closing are due for prior years, Seller agrees to make full payment to ORT for this amount.
- (4) Buyer understands that the amount being prorated for current year taxes is the best possible estimate available at the time of closing and recognizes their responsibility for current year taxes. Further, Buyer understands it is their responsibility to notify the appraisal district of the change in ownership of the subject property.

GROSS TAX FIGURES

City:	\$0.00
State and County:	\$5,868.25
School:	\$6,446.71
Other:	\$0.00
Other:	\$0.00
	\$0.00

Counter Signature
Mickey Ray Buller

Daniel Tijerina
Lauren Tijerina

- c. A Special Use Permit (S) is allowed **only if approved by City Council** in accordance the standards found in Section 3.7.
- d. Not Permitted (NP)
- (2) For uses not listed, the City Manager shall use the descriptions found in Appendix B: Definitions to determine how an unlisted use should be treated. The City Manager shall produce an administrative policy for addressing unlisted uses, consistent with all other provisions of this UDC, either allowing for administrative decisions by the City Manager or requiring legislative action by the City Council, or a combination of both the above, depending on the circumstance.

Table 4.2: Use Table

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Retail Sales or Service <u>with no drive through facility</u>	P	P	NP	NP	NP	NP	NP	NP
Retail Sales or Service <u>with drive through facility</u> (includes retail with associated fuel sales)	P/C	NP	NP	NP	NP	NP	NP	NP
Bars	S	S	NP	NP	NP	NP	NP	NP
Food Service Uses such as full-service restaurants, cafeterias, bakeries catering and snack bars <u>with no drive through facilities</u>	P	P	NP	P	NP	NP	NP	NP
Art, antique, museum, furniture or galleries (retail, repair or artisanal fabrication)	P	P	NP	P	NP	NP	NP	NP
Entertainment, theater, cinema, or music venue	P/C	NP	NP	P/C	NP	NP	NP	NP
Sexually Oriented Business	NP	NP	NP	P	NP	NP	NP	NP
Commercial/ Office <u>with no drive through facility</u>	P	P	NP	NP	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Commercial/ Office <u>with drive through facility</u>	P	NP	NP	NP	NP	NP	NP	NP
Pet and animal sales or service	P	NP	NP	P	NP	NP	NP	NP
Fitness, recreational sports, gym, athletic club, dance or yoga studio	P	P	P	P	NP	NP	NP	NP
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Business associations and professional membership organizations	P	P	P	P	NP	NP	NP	NP
Childcare, day care, and preschools	P/C	P/C	P/C	NP	NP	NP	NP	NP
Family home child care	P/C	P/C	P/C	NP	S	S	S	NP
Schools, libraries, and community/civic facilities	P	NP	P	NP	NP	NP	NP	NP
Religious Institutions	NP	NP	P	P	NP	NP	NP	NP
Universities and Colleges and Technical, trade, and specialty schools	P	NP	P	P	NP	NP	NP	NP
Hospitals and nursing establishments	P	NP	P	NP	NP	NP	NP	NP
Social, fraternal and philanthropic organizations	P	P	P	P	NP	NP	NP	NP
Transitional Housing	S	S	S	S	S	S	S	NP
Community or Group Homes	P/C	P/C	P/C	P/C	P/C	P/C	P/C	NP
Public administration uses (including local, state, and federal government uses, public safety, health and human services)	P	P	P	P	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Funeral homes	P/C	NP	NP	NP	NP	NP	NP	NP
Single Family Residential	P	NP	P	NP	P	P	P	NP
Accessory Building Residential Unit (Garage Apt.)	P	P	P	P	P	P	P	NP
Single-family Residential Attached/ Townhomes/ Patio Home/ Duplex/ Multi Unit Home (3-4 Units)	P	P	P	P	P/C	NP	NP	NP
Multi-family Residential	P	NP	NP	NP	NP	NP	NP	NP
Home Occupations	P	P	P	P	P	P	P	NP
Manufactured Housing	NP	NP	NP	P/C	NP	NP	NP	NP
Auto and Vehicle Related Sales and Service Establishment	NP	NP	NP	P/C	NP	NP	NP	NP
Brewery, Distillery, or Winery	NP	NP	NP	P	NP	NP	NP	NP
Brewpub (restaurant with auxiliary: Brewery, Distillery, or Winery)	P	NP	NP	P	NP	NP	NP	NP
Commercial food, textile and product manufacturing	NP	NP	NP	NP	NP	NP	NP	NP
Heavy manufacturing that may produce hazardous waste	NP	NP	NP	NP	NP	NP	NP	NP
Miscellaneous light manufacturing (Manufacturing processes that do not create hazardous waste)	NP	NP	NP	P	NP	NP	NP	NP
Warehouse and Self-Storage	NP	NP	NP	P/C	NP	NP	NP	NP
Climate Controlled Self-Storage	P/C	NP	NP	P/C	NP	NP	NP	NP
Transportation services (air, rail, road, truck and freight)	NP	NP	NP	P	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space ¹
Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc.)	S	S	S	S	S	S	S	NP
Utility Facilities (electric, natural gas, alternative)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	NP
Hotel (45 or fewer rooms)	P	NP	NP	NP	NP	NP	NP	NP
Hotels (more than 45 rooms)	P	NP	NP	NP	NP	NP	NP	NP
Bed and Breakfast (5 or fewer guest rooms)	P	P/C	P	P/C	P/C	P/C	P/C	NP
Parking, structured	P	NP	NP	NP	NP	NP	NP	NP
Veterinary Services	P	NP	NP	P	NP	NP	NP	NP
Commercial Stables/Boarding	NP	NP	S	S	S	S	S	NP

¹ Open Spaces are reserved for active or passive recreation, and for the preservation of land in its natural state. Building on, or modification of, land in Open Space districts is generally prohibited except where incidental to a larger purpose of preserving and enhancing Open Space areas; or, where necessary for public health and safety purposes. The only exception is the category in Table 4.2 described as "Parks, greens, plazas, squares, and playgrounds." These uses are allowed in Open Space districts, provided that vertical construction is kept to a minimum and, in the opinion of the City Manager, the primary purpose of the land use is not to provide for activity intended for other districts nor to otherwise circumvent this provision and the intent of this zoning UDC and the Comprehensive Plan of Fair Oaks Ranch.

Section 4.10 Conditional Uses

(1) Retail Sales or Service with Drive Through Facility

Retail Service with drive through facility will be governed by design guidelines promulgated by the City or by a design UDC. Until such guidelines are adopted, an applicant will develop plans consistent with the comprehensive plan and submit them to the City for approval by the City Manager (or designee), with appeal to the Zoning Board of Adjustment.

Exhibit Property Owner Response MAP

29243

Enchanted Glen,
Fair Oaks Ranch, Texas

- Respondent (For) - 0
- Respondent (Against) - 15
- Subject Property
- Notification Area
- City Limits

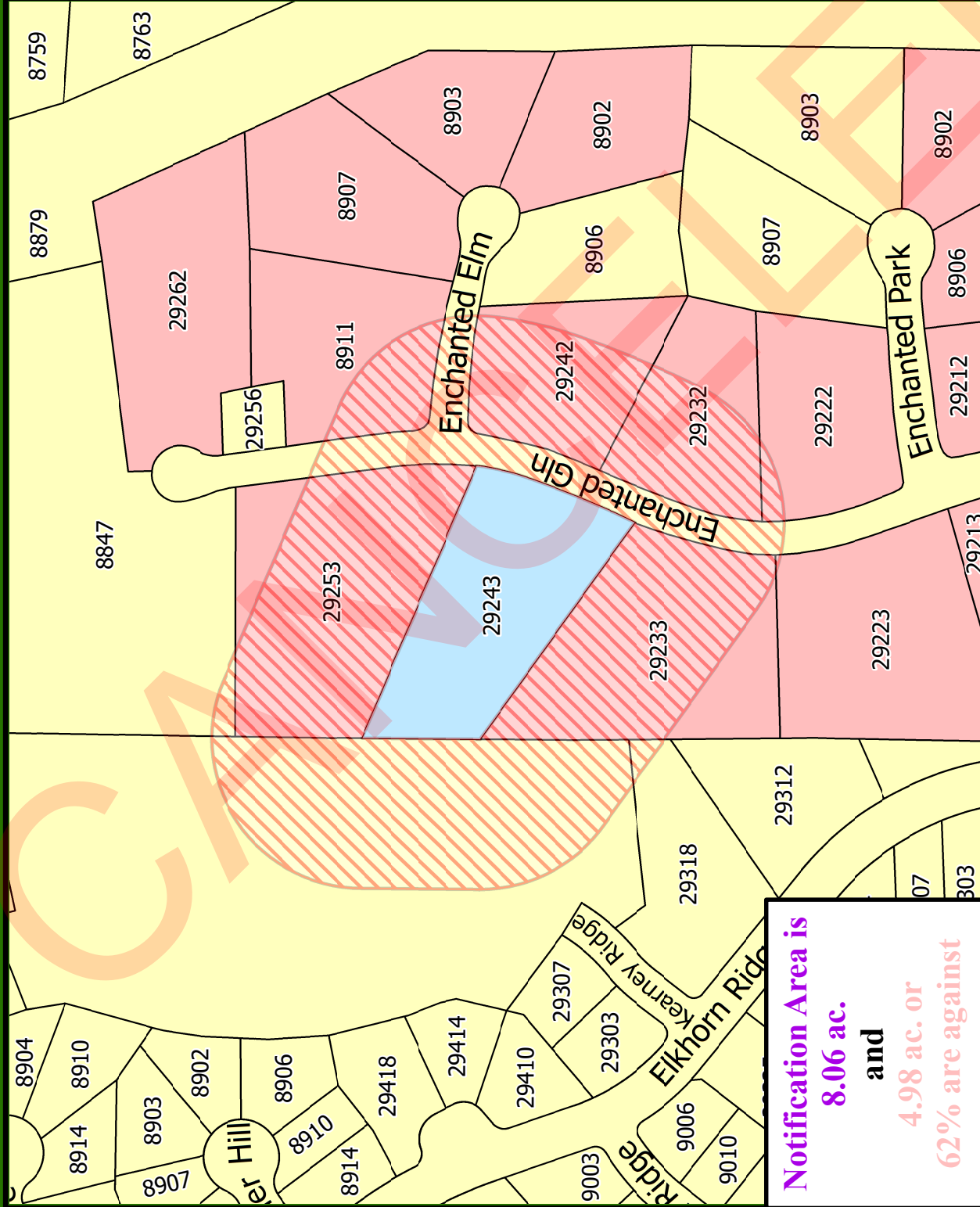


February 2023

Attachment #5



1" ≈ 200'



**Notification Area is
8.06 ac.
and
4.98 ac. or
62% are against**

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Item #4.

Public Comment Form



210-698-0900 (office)
(RETURN THIS FORM TO)
City of Fair Oaks Ranch
Engineering Department
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

CITY OF FAIR OAKS RANCH
7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

www.fairoaksranchtx.org



210-698-3565 (fax)

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Name: Kirk Rantz
Address: 8911 Enchanted Elm
Signature: [Signature]
Date: 1-18-23

Comments:

IN the Subdivision Restrictions AZPSZ COVENANTS
NO PROFESSIONAL BUSINESS OR COMMERCIAL ACTIVITY

Public Comment Form



CITY OF FAIR OAKS RANCH

7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015



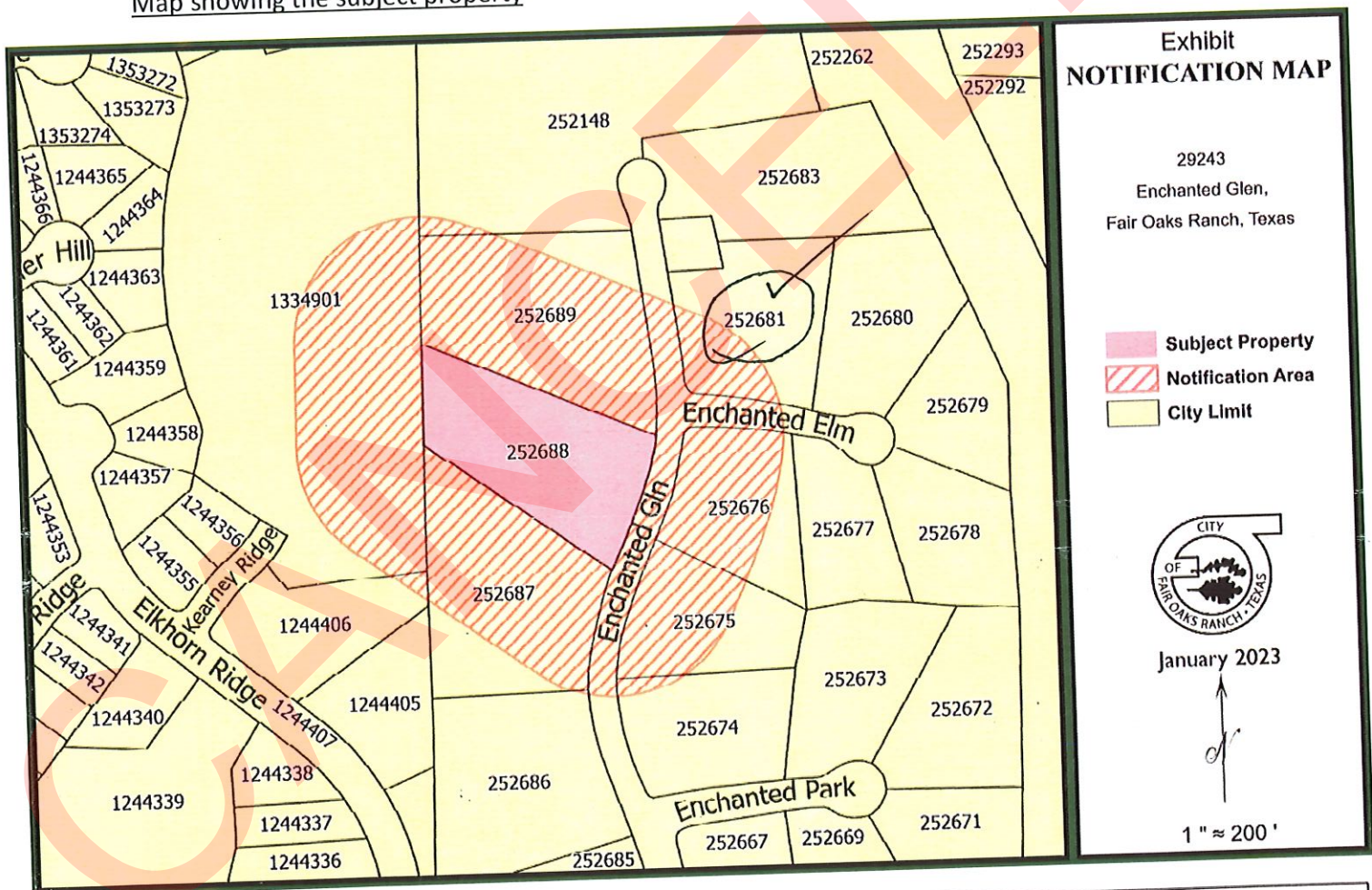
210-698-0900 (office)

www.fairoaksranchtx.org

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*TO WHICH THE GENERAL PUBLIC INVITE SHALL BE
CONDUCTED ON ANY LOT!
UNLESS EVERYONE IN SUBDIVISION SIGNS
OFF.*

Map showing the subject property



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7286 Dietz Elkhorn
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Name:

Stephanie Rents

Address:

8911 Enchanted Elm Boerne, TX 78015

Signature:



Date:

1-26-23

Comments:

The restrictions say "No Businesses" in this neighborhood.

This is a small family neighborhood.

Public Comment Form



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Name:

Tracey Black

Address:

8903 Enchanted Elm

Signature:

Tracey Black

Date:

1/18/2023

Comments:

I just bought my home in May 2021. I bought here for the small community to be away from the hubbub of daily stresses. Once I pull into our neighborhood Enchanted Oaks all stresses leave and I am home, safe, quiet. I am concerned for the value of my home should a rezoning occur. I am also

concerned about the amount of traffic, cars and people I would then have to navigate through everyday morning and evening. I am against any of this rezoning request.

CANCELLED

Public Comment Form



CITY OF FAIR OAKS RANCH

7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

www.fairoaksranchtx.org



210-698-0900 (office)

(RETURN THIS FORM TO)

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Engineering Department

7286 Dietz Elkhorn

Fair Oaks Ranch, Texas 78015

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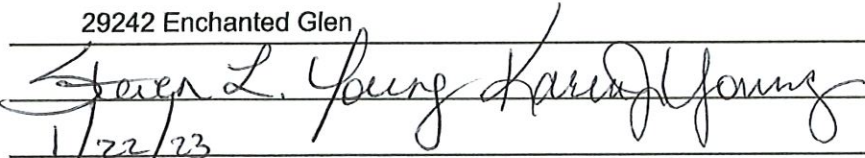
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Name: Steven L and Karen J Young
 Address: 29242 Enchanted Glen
 Signature: 
 Date: 1/22/23

Comments: We are opposed to the request due to the fact it will increase traffic,
 potentially negatively affect our property value and encroach on our

Public Comment Form



210-698-0900 (office)

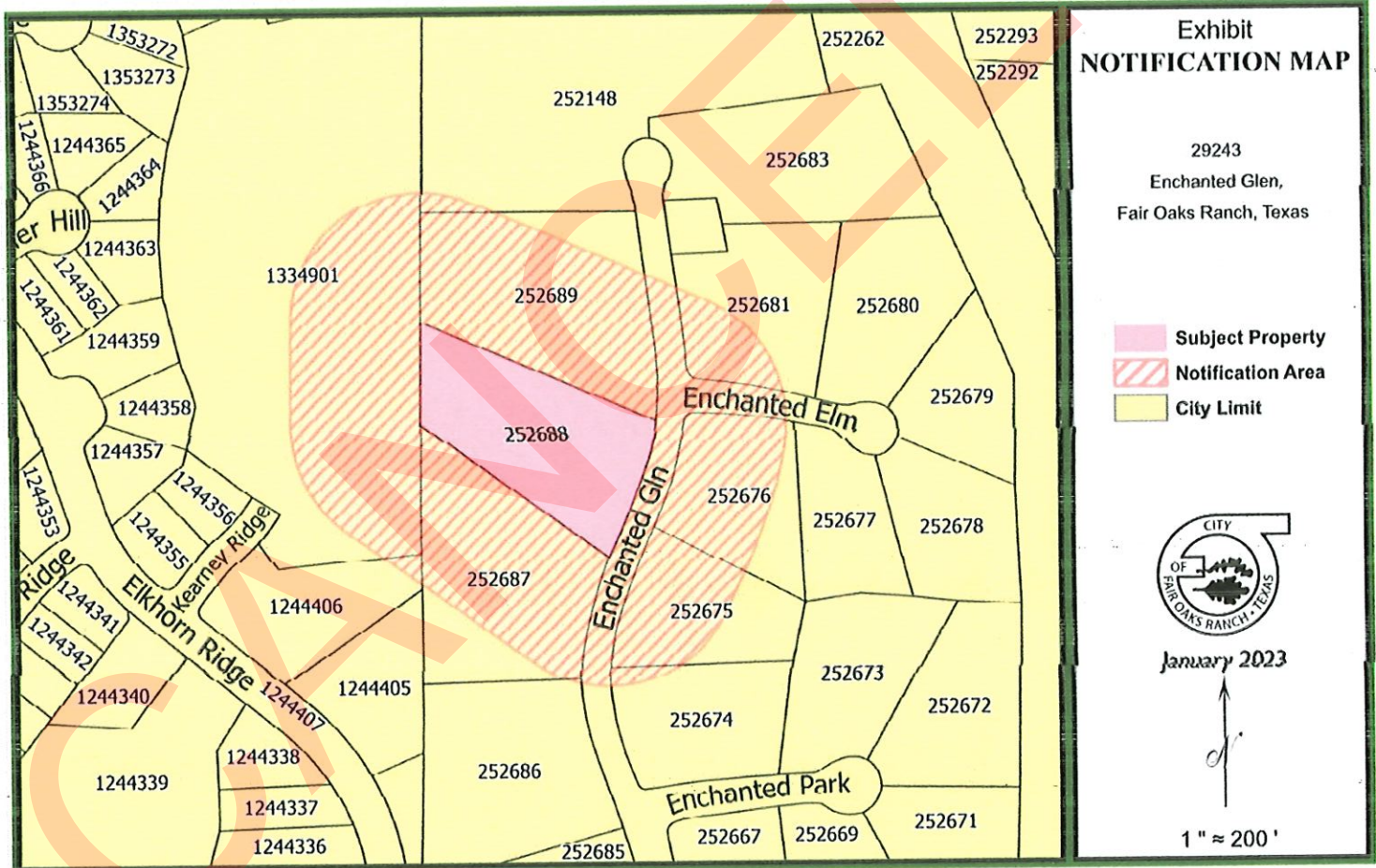
CITY OF FAIR OAKS RANCH
7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

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210-698-3565 (fax)

private enjoyment of our property. In addition the deed restrictions and
covenants of our property strictly prohibit commercial businesses open to
the public.

Map showing the subject property



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Steven L. and Karen J. Young
29242 Enchanted Glen
Fair Oaks Ranch, TX 78015

January 21, 2023

RE: Rezoning No. 2023-02-10

Dear Distinguished Council and Zoning Commissions Members:

We are writing to you to provide more context to our opposition to the rezoning request noted above that would allow the owners of 29243 Enchanted Glen to open a licensed day care facility with up to 40 children.

We moved to Fair Oaks Ranch three years ago after saving for over 30 years to purchase our dream home. We had longed for years to move out of San Antonio to get away from the traffic, noise and crime and enjoy our retirement years in a nice, quiet, close knit neighborhood. We found exactly what we had been dreaming of in Enchanted Oaks and Fair Oaks Ranch.

Since we purchased our property, we have invested several more thousand dollars in various upgrades and improvements since we planned to live the rest of our lives here. We enjoy quiet walks in the mornings, enjoy visiting with our neighbors and the leisurely way of living. We are sure the majority of the families living in Fair Oaks Ranch moved here for the same reasons.

The proposed rezoning request would bring everything we worked so hard for the last thirty years to get away from directly to our doorstep. No more quiet morning walks. We will be dodging traffic from the parents dropping off and picking up their kids. No more feeling safe as numerous strangers will be coming and going right across the street. No more enjoying the serenity of our pool (which is visible from the subject property).

We are also concerned about the negative impact on our property value. Numerous studies have shown that once commercial businesses are allowed in an established neighborhood property values can drop up to 15%. In addition, there is also a potential domino effect. If this request is approved there will undoubtedly be others and they could be across the street from your home. We don't think this is something that any of us want to happen.

We have spoken to all our neighbors and they are all in agreement that we must not allow this to happen and destroy our beautiful quite neighborhood.

It is our hope that the City Council Members and members of the Zoning Commission of the City of Fair Oaks Ranch will try to imagine if this were your neighborhood and deny the proposed rezoning request.

Sincerely,

Steven L. and Karen J. Young



Public Comment Form



CITY OF FAIR OAKS RANCH

7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

www.fairoaksranchtx.org



210-698-0900 (office)

210-698-3565 (fax)

(RETURN THIS FORM TO)

City of Fair Oaks Ranch
Engineering Department
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

RE: (Rezoning No. 2023-02-09)

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Name: Louis & June Voelcker
Address: 29212 Enchanted Glen
Signature: Louis Voelcker June Voelcker
Date: 01/18/23

Comments:

will cause Traffic Problems, Parking Problems

Lampe 107

Public Comment Form



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Name:

Kay and Paul Lampe (252687)

Address:

29233 Enchanted Glen, FOR, TX 78015

Signature:

Ol 2 Lampe

Date:

1-18-2023

Comments:

1. Property Value Decreased
2. Increased Traffic to our quiet neighborhood

Public Comment Form



210-698-0900 (office)

CITY OF FAIR OAKS RANCH

7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

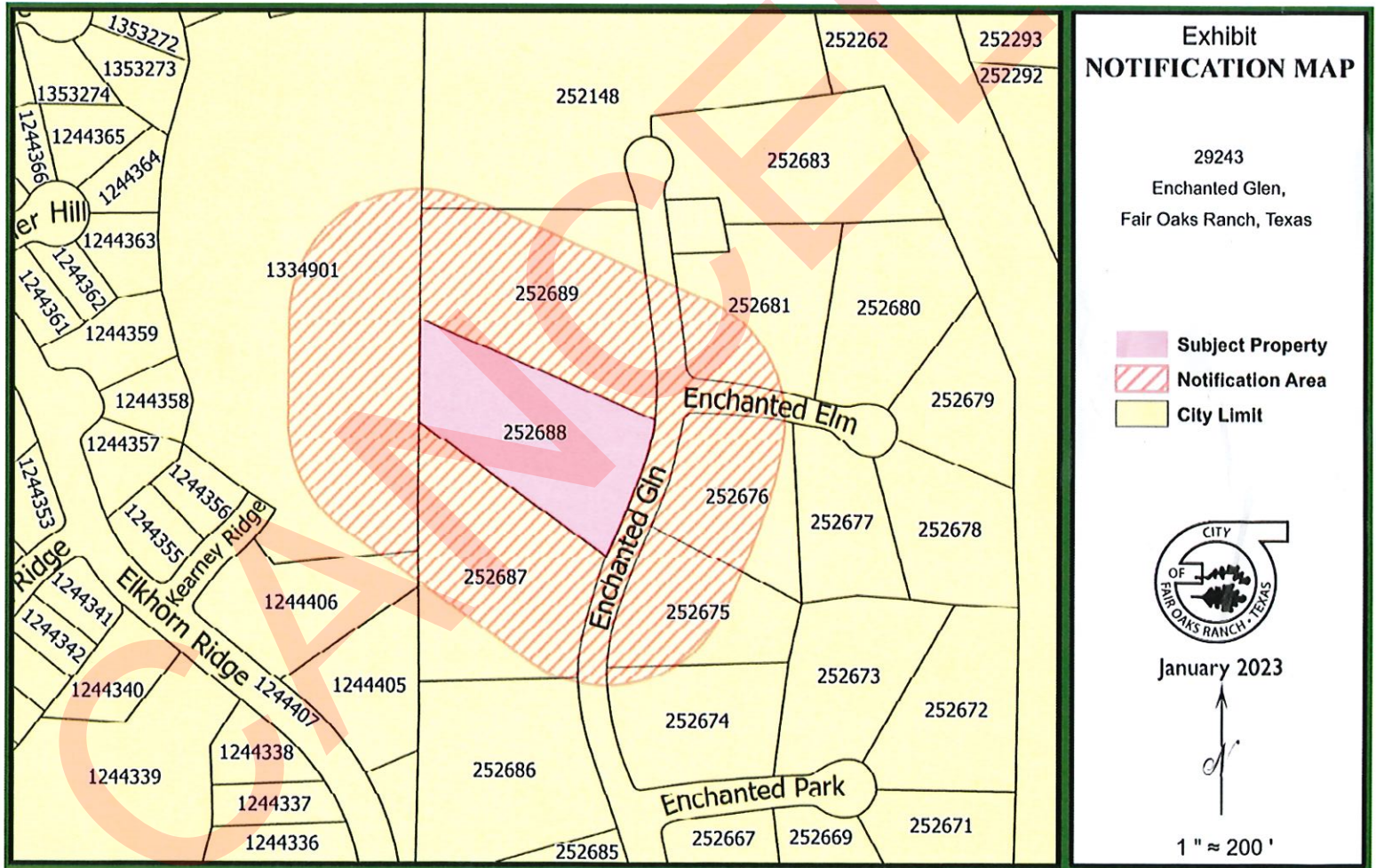
www.fairoaksranchtx.org



210-698-3565 (fax)

3. Increased Liability Due to extra cars and children in our neighborhood
4. Opens the door for other zoning changes
5. We want our neighborhood to remain residential only.
6. Additionally not allowed by our deed restrictions for Enchanted Oaks

Map showing the subject property



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Name: Carl J. McClure
Address: 8902 Enchanted Park, Fair Oaks Ranch, TX. 78015-4912
Signature: Carl J. McClure
Date: 1-20-23

Comments:

If this were allowed, what would keep other Businesses from invading other residential areas?

Property Owner Comment Form

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7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

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Name:

Olivia L Hudson

Address:

29223 Enchanted Cdn

Signature:

Olivia L Hudson

Date:

1/23/23

Comments:

Per neighborhood bylaws, No commercial business allowed.

Will significantly increase traffic into what is currently a small, quiet subdivision.

Also, set precedent for future FOR residents to seek commercial status thus increasing chance of property values dropping.

Public Comment Form



CITY OF FAIR OAKS RANCH

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Name:

KEVIN & KAMI FIEDLER

Address:

29262 ENCHANTED GLEN

Signature:

[Handwritten Signature]

Date:

1/26/2023

Comments:

The neighborhood covenants clearly say no businesses are allowed.

Public Comment Form



210-698-0900 (office)

CITY OF FAIR OAKS RANCH

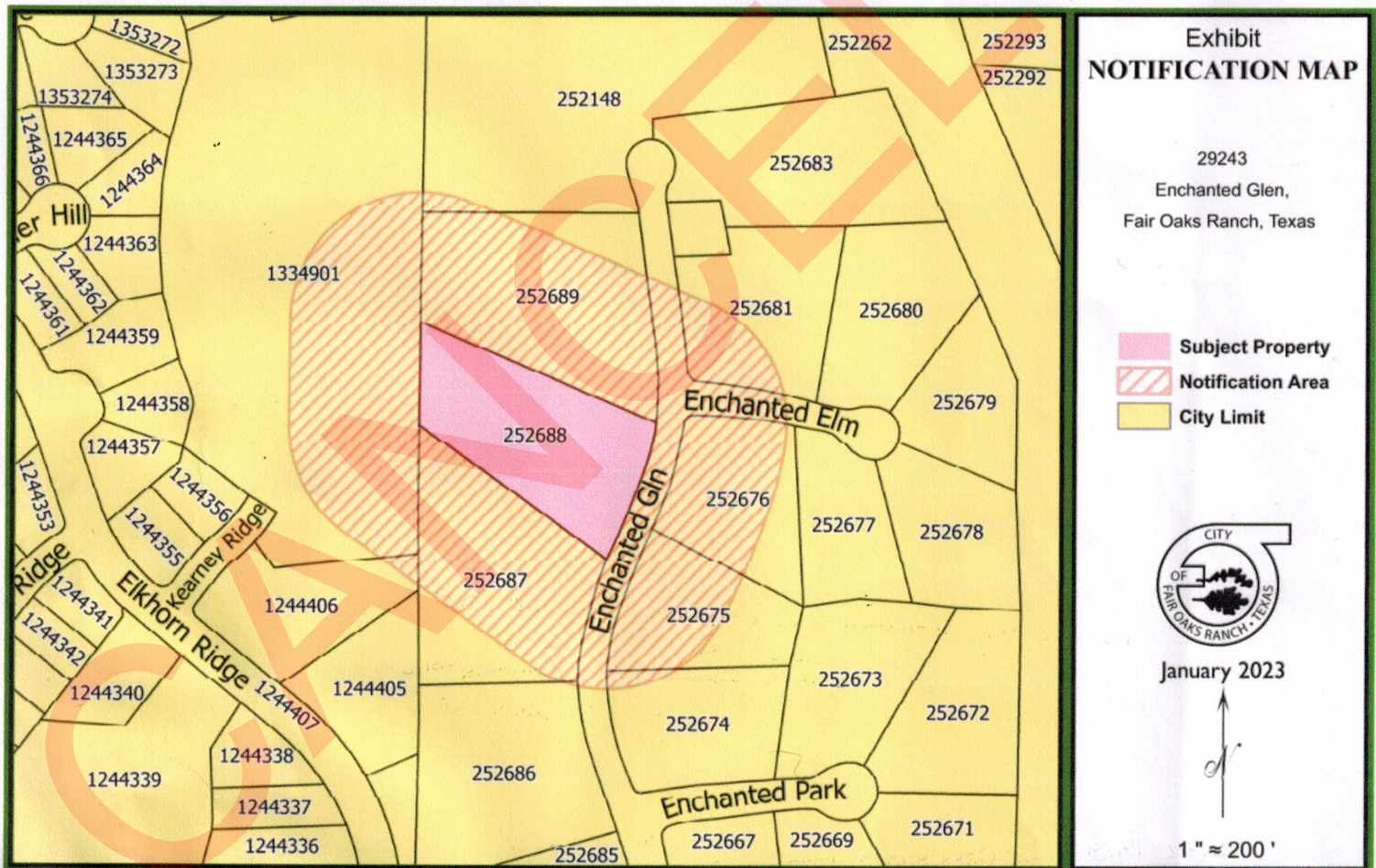
7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

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The neighborhood has no through streets. Very walkable now. - We don't want additional traffic. Traffic will turn around in cul-de-sac in front of my house.

Map showing the subject property



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Fair Oaks Ranch, Texas 78015

RE: (Rezoning No. 2023-02-09)

This form may be used for the purpose of expressing your opinion on the proposed Rezoning request. Please complete the form below and return it to the City of Fair Oaks Ranch Engineering Department prior to the Joint Public Hearing date referenced below and in your property owner notification.

The Joint Public Hearing will be held in the Public Safety Training Room of the Police Station located at 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015 on Thursday, February 9, 2023 at 6:30 p.m.

_____ I am **FOR** the Rezoning request as explained on the attached public notice for Rezoning No. 2023-02-09

X I am **AGAINST** the Rezoning request as explained on the attached public notice for Rezoning No. 2023-02-09

(PLEASE PRINT)

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Name: Electa Fairchild
Address: 29222 Enchanted Glen
Signature: Electa Fairchild
Date: 30 January 2023

Comments:

I request that the Fair Oaks Ranch Zoning and planning Commission and the City Council consider the following ten points when making a determination on rezoning 29243 Enchanted Glen.

1. Although the City of Fair Oaks Ranch Final Unified Development Code (14.10.8) does not prohibit Child Care Centers on residential lots within residential areas if they are zoned Community Facilities, seemingly only four and a half years ago that was not allowed. Considering the State of Texas Child Care Regulations revised 1/13/2023 (see 5. below for an example) the outdated Fair Oaks Ranch zoning ordinances seem to be more appropriate for this community.

CITY OF FAIR OAKS RANCH Zoning Ordinance – Effective June 14, 2018, page 39:
Section 14.05.003.i.3.B “Group Day Care Home...Separation: **Group Day Care home care may not be located in residentially zoned areas.**” (I have added the bold type.)

Section 14.05.003.i.4.B Day Care Center...“Separation: **Day Care Centers may not be located in residentially zoned areas.**” (I have added the bold type.)

2. Enchanted Oaks Bexar County Unit I, Amended Restrictions, Filed with Bexar County June 12, 1985:

“A. Covenants and Restrictions...2. **No professional business or commercial activity to which the general public is invited shall be conducted on any Lot...**” (I have added the bold type.)

3. City of Fair Oaks Ranch Zoning Map (Date of Update 6/4/2020) does not show any Community Facilities (CF) in residential lot areas/areas originally zoned as residential lots. Google does not list any child care centers on residential lots in Fair Oaks Ranch.

4. Once rezoned as Community Facilities (CF) this property could transfer to other P/PC (permitted, permitted with conditions) uses such as a fitness, gym (Gold’s Gym?), church, college, hospital, public or private school, etc. which could bring even more traffic and disruption into our residential neighborhood.

5. The State of Texas regulates the operation of Child Care Centers (*Minimum Standards for Child-Care Centers, Texas Health and Human Services Commission, October 2021, Revised: 1/13/2023, §746.4201. Subchapter T, Physical Facilities, Division 2, Indoor Space Requirements*
How many square feet of indoor activity space must I have for children?
Subchapter T, Physical Facilities Division 1, Indoor Space Requirements September 2003
You must have at least 30 square feet of indoor activity space for each child that you are licensed to serve, unless the child-care center is exempt based on criteria specified in this division.
§746.4213. How does Licensing determine the indoor activity space?
Subchapter T, Physical Facilities Division 1, Indoor Space Requirements April 2017
(a)We determine indoor activity space by:
(1)Measuring all indoor activity space wall to wall on the inside at floor level; (2)Rounding all measurements up to the nearest inch; and
(3)Excluding single-use areas, which are areas not routinely used for children's activities, such as a bathroom, hallway, storage room, cooking area of a kitchen, swimming pool, and storage building; Revised: 1/13/2023
(4)Excluding floor space occupied by permanent and stationary fixtures, such as bookcases, shelving, and storage/counter space, that is not intended for use by the children.)

With these regulations in mind, the almost 3000 square feet residence (including house and garage) at 29243 Enchanted Glen could have around 2000 square feet of space (to be determined by the State of Texas) for children under care. The state allows 1 child per 30 square feet of “indoor activity space”. Potentially 66 children could be cared for in this facility. Should the building be expanded in the future or more space be freed up, it could serve additional children.

6. Enchanted Glen is not a wide street and does not have sidewalks on either side of the street. The east side of the roadway has an open drainage ditch from Dietz Elkhorn to past

Enchanted Elm. The additional traffic would pose a safety problem for both drivers and walkers especially when cars are parked along Enchanted Glen.

7. The Dietz Elkhorn-Enchanted Glen intersection is very busy with Van Raub Elementary School traffic at school start and ending times. These times could well overlap with times parents would be driving to and from the child care center creating a further bottleneck on Dietz Elkhorn.

8. When Enchanted Oaks was forcibly annexed into the city of Fair Oaks Ranch, several public meetings were held. A frequently mentioned positive from those who were already members of the community and the council was that this would prevent Bexar County from allowing something detrimental to Fair Oaks Ranch and Enchanted Oaks from happening in our neighborhood. Those Fair Oaks Ranch residents expressed worries about their property values and the potential decline of Fair Oaks Ranch if left to the devices/lack of zoning and planning of Bexar County. Our Bexar County registered CC&Rs/deed restrictions would probably have prevented a child care center from being located in Enchanted Oaks.

9. If this child care center is allowed in our residential neighborhood, nothing should stop child care centers from being introduced into every Fair Oaks Ranch neighborhood. If future rezoning requests in other neighborhoods were to be rejected, what would that say to Enchanted Oaks residents about our place in this community?

10. This one day care center (or whatever in the future should materialize on a once residential lot if it is rezoned to Community Facilities) may not have an immediate negative impact to the rest of Fair Oaks Ranch. The increased traffic of up to 66 parents driving to and from the child care center plus commercial vehicles making deliveries will cause Enchanted Oaks residents daily stress from noise and traffic and will undoubtedly lower our home values. The Fair Oaks Ranch requirement of 1 parking space per 200 square feet of usable building area (Unified Development Code, City of Fair Oaks Ranch, page 101) will probably require the removal of a residential-looking front yard and replace it with unsightly pavement. I believe that it is incumbent upon The City of Fair Oaks Ranch to side with the 19 residents of this community who purchased homes with restrictive covenants believing it provided protection from having a Community Facility (CE) within our small neighborhood.

Public Comment Form



CITY OF FAIR OAKS RANCH

7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

www.fairoaksranchtx.org

210-698-0900 (office)

210-698-3565 (fax)

(RETURN THIS FORM TO)

City of Fair Oaks Ranch

Engineering Department

7286 Dietz Elkhorn

Fair Oaks Ranch, Texas 78015

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Name:

MICHAEL & VICTORIA REYES

Address:

8906 ENCHANTED PARK

Signature:

Date:

Comments:

THERE ARE PLACES FOR THIS TYPE OF BUSINESS ELSEWHERE. LIKE ACTUAL BUSINESS STRIPS.

Public Comment Form



210-698-0900 (office)

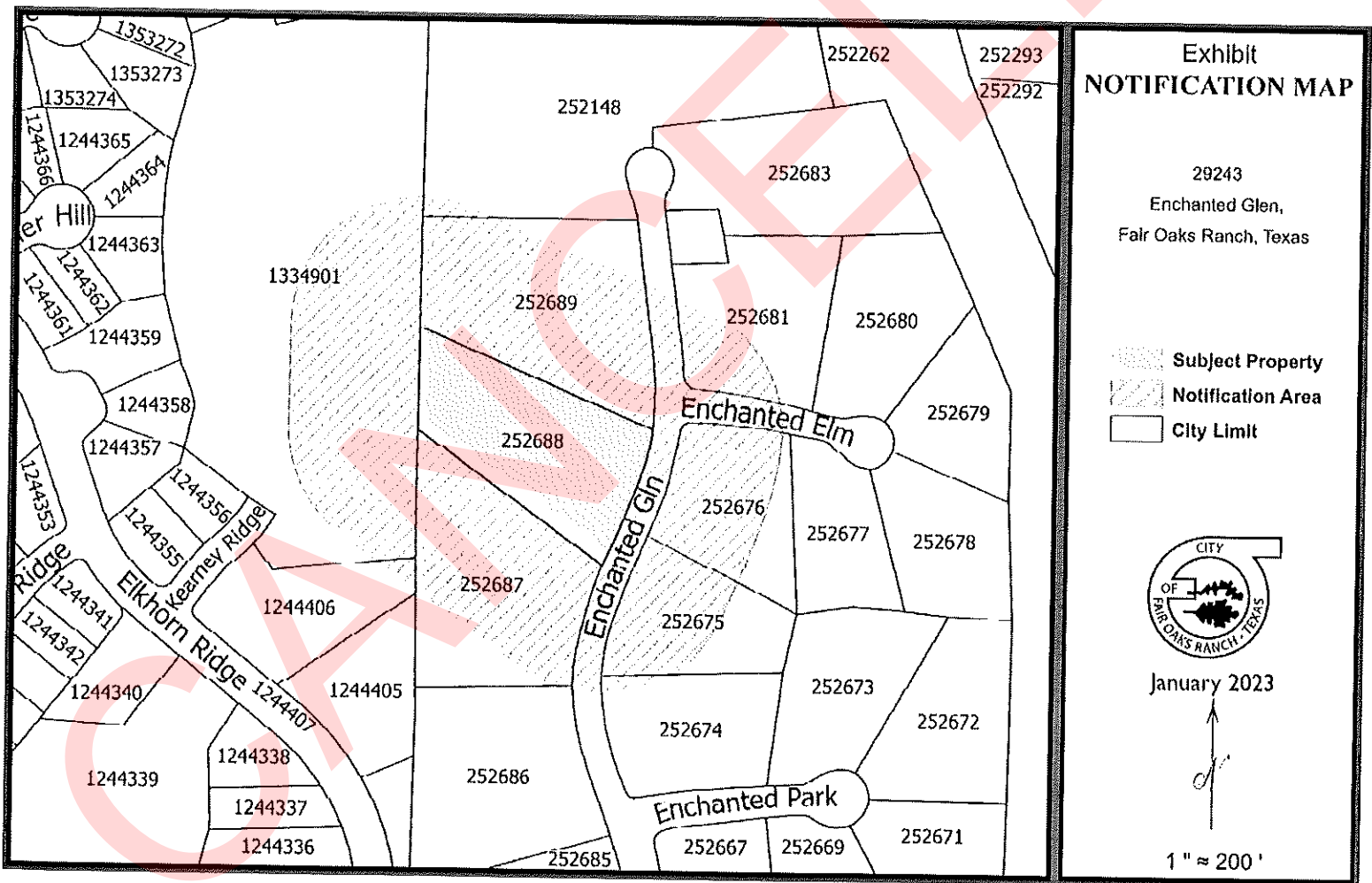
CITY OF FAIR OAKS RANCH
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IT IS CLEAR THAT THE PRESTIGE AND HONOR OF
FAIR OAKS IS DESTROYED BY CITY COUNCIL DECISIONS.

Map showing the subject property



Disclaimer - The City of Fair Oaks Ranch (COF OR) does not guarantee the accuracy, adequacy, completeness, or usefulness of any information. COF OR does not warrant the completeness, timeliness, or positional, thematic, and attribute accuracy of the GIS Data. The GIS data, cartographic products, and associated applications are not legal representations of the depicted data. GIS data is derived from fair's records that are constantly undergoing revision. Under no circumstances should GIS products be used for final design purposes. COF OR provides this information on an "as is" basis without warranty of any kind, express or implied, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

City council member: A position in a local government where a person is elected to REPRESENT the citizens of their city or town.

By passing a rezoning you are not representing me as a citizen or the multitude of other citizens that are OPPOSED to this rezoning.

??So it is not a decision based off the majority of citizens wants but what 1 person wants?? 30 against rezoning 2 for, we (you)decided to go with the minority even though it violates the majority. That does not make sense and that is not good stewardship of your position.

A city council member is an elected official in a city or town. They are responsible for making decisions that affect the community as a whole.

This affects all of Fair Oaks and if you love this idea put it in your subdivision.

WAIT

If you do not want this BUSINESS right next door to you in YOUR SUBDIVISION then you should not rezone this property.

Be a good steward of your position.

Michael Reyes
Citizen of Fair Oaks Ranch

Public Comment Form



CITY OF FAIR OAKS RANCH
7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015



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Name: Floyd and Erica Holder
Address: 29232 Enchanted Glen
Signature:  
Date: 01/29/2023

Comments:

Enchanted Oaks is a small subdivision with only 22 homes located on 3 cul-de-sac streets. The beauty of this neighborhood is that all of the residents here know each other well and make up a wonderful residential community. Because this is a small neighborhood with no through traffic, residents gather just a few yards down the street from the subject property for a neighborhood picnic each year. Almost all of the families in the neighborhood have children well past the daycare age and would not benefit at all from this proposed rezoning. Bringing commercial ventures into this residential area will forever damage this quiet community.

Public Comment Form

**CITY OF FAIR OAKS RANCH****7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015**

210-698-0900 (office)

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210-698-3565 (fax)

I understand this request is to rezone as a 'community facility', but this is nothing less than a commercial venture. This rezoning has been sought by someone who has no intention of living in the home and who does not even reside in Fair Oaks Ranch or even within the Boerne ISD. Mrs. Tijerina is not a member of this community and has purchased this home solely for the purpose of undertaking a business venture that will decrease property values and degrade an established residential neighborhood.

There is only one entry point for this neighborhood which means there are very few cars on these streets on a daily basis. Residents of this neighborhood are regularly able to enjoy walking at all hours of the morning or evening without concern for traffic. A commercial venture that is open to the public who will drive these streets at least twice per day will more than double the current traffic on these streets. While a commercial daycare may seem to be a quiet neighbor, 30 or so parents dropping off and later picking up children added with traffic for employees of the business and deliveries will overwhelm this small neighborhood. This will surely cause serious backups at the stop sign exiting the neighborhood to Dietz Elkhorn as that point is directly across the street from Van Raub Elementary.

I have searched and have not found any other business situated in the middle of a residential neighborhood in Fair Oaks Ranch. Based on the city's zoning maps, other properties that are zoned as community facilities are large tracts encompassing city buildings, schools or churches all of which are located on major thoroughfares, not in the middle of a neighborhood. This city has been carefully planned to be a largely residential community with only a few commercial businesses in select areas. There is no compelling reason to begin rezoning residential areas when there are currently other commercial properties available for sale and lease in the area. There are several large multi-use developments being built along IH-10 near the city and one approximately 2 miles from the entrance of the Enchanted Oaks subdivision. Surely these are better prospects for a commercial daycare. These are the appropriate places that have already been planned by the city and developers. To allow a commercial venture, no matter how 'family friendly', to encroach in the middle of a neighborhood that does not need or want such an establishment would set a dangerous precedent for the city and jeopardize home values.

Public Comment Form



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 Engineering Department
 7286 Dietz Elkhorn
 Fair Oaks Ranch, Texas 78015

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Name: Theodor & Debra Lechner
 Address: 29253 Enchanted Glen
 Signature: Theodor Lechner
 Date: 2-1-2023

Comments:

Please see Comments attached,

Theodor & Debra Lechner
 29253 Enchanted Glen
 Fair Oaks Ranch Tx, 78015

We are against the Rezoning request No. 2023-02-09 filed by Lauren and Daniel Tijerina for property 29243 Enchanted Glen, Fair Oaks Ranch, Tx 78015 to a Community Facility

The request for rezoning is to open a Commercial Business (Community Center) in a currently established Residential Neighborhood since 1985. The request is to Operate a licensed childcare center at this address from 7AM-6PM.

As Stated in their Application, Mr. & Mrs. Tijerina, no one will live at this address since it will be used exclusively as business.

Mr. & Mrs. Tijerina currently reside at their home, 8023 Platinum Ct, Boerne Tx, in Bexar County not located in Fair Oaks Ranch

This request would add these concerns to our Residential neighborhood.

1) Safety

- a. Additional traffic coming in and out of the Enchanted Oaks neighborhood to drop off and pick up Children, in a non-School Zone.
- b. No parking spaces available for Children getting dropped off and picked up as they get in and out of vehicles.
 - Customers would have to park on the street causing traffic congestion, since there is a Brick Fence along the front of the property
 - Teachers and Staff Parking availability
- c. Parking at Enchanted Oaks Entrance already presents Safety issues due to Van Raub School drop off and pick up.
- d. Safety concerns for Neighbors walking the neighborhood
- e. The property has a large culvert on one side of property for water drainage. It also has a large drainage easement across the back of the property causing concern for the welfare of Children.

- 2) The reduction of Property value for the current Neighborhood by allowing a Commercial business to open in a Residential Area, due to safety, traffic, noise, etc
- 3) Additional Road Maintenance would be needed to support the increased traffic

Additional Facts to Consider

1. Enchanted Oaks Subdivision is a Residential Neighborhood since 1985 that has 20 Homes,
2. We built our home in Enchanted Oaks Subdivision in 1994 and have lived here for 29 Years,

3. Enchanted Oaks Subdivision was Annexed into the city of Fair Oaks Ranch in 2017 and we are now part of the Fair Oaks Ranch community.
4. Enchanted Oaks has on File with Bexar County Court House the Covenants and Restrictions for the Enchanted Oaks Subdivision, filed on 6-12-1985
 - a. Section 2- Business Use:
 - i. **"No professional business or commercial activity to which the general public is invited shall be conducted on any lot"**
5. Enchanted Oaks water company is a privately held water system designed and structured to Service Enchanted Oaks Subdivision and not designed to handle Commercial Business.
 - a. Mrs. and Mr. Tijerina have already Paid for Water service with a company Check from Lasting Learners Academy identifying the property for Commercial use,
6. Septic tank concerns-
 - a. Environmental protection Agency (EPA) records has this Septic tank licensed for Residential use and not Commercial use.
 - i. Septic tank Installed in 1988
 - ii. Septic Tank Failed in 2003 – additional Lines had to be added to support current Residential use and not commercial usage.
 1. Septic Permit numbers, 19880669- 1988 and 20030578- 2003

In Closing

We strongly encourage and ask that the Fair Oaks Ranch City Council does not approve this rezoning request. This request for allowing a **for Profit** Commercial Business in a Residential Subdivision should not be set forth. The concern for future such rezoning requests and the impact it would have for Enchanted Oaks subdivision and the Fair Oaks Ranch quality of life.

Fair Oaks Ranch Mission Statement and Priorities:

To deliver exceptional public services, preserve the natural beauty of our city, protect, and promote **quality of life**, and foster community engagement.

Fair Oaks Ranch Priorities:

Take no action that would materially affect the **quality of life** in any fashion detrimental to the continuance and enhancement of conditions existing at the time the City was incorporated.

Thank you for Engaging the Community and allowing us to share our voice

Public Comment Form



CITY OF FAIR OAKS RANCH

7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

www.fairoaksranchtx.org



210-698-3565 (fax)

210-698-0900 (office)

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Name:

Clint & Chrystal Langford

Address:

8907 Enchanted Elm

Signature:

Chrystal Langford

Date:

1.27.2023

Comments:

Katherine Schweitzer

From: Chrystal Lee Langford <cbl26@hotmail.com>
Sent: Tuesday, January 31, 2023 1:39 PM
To: Katherine Schweitzer
Subject: Rezoning No 2023-02-10
Attachments: Public Comment Form.pdf

To whom it may concern...

Listed below are our comments and opposition for the rezoning being proposed in our neighborhood.

I have also attached our completed Public Comment Form.

Thank you for your time.

Sincerely,

Chrystal Langford

In regards to rezoning no. 2023-02-10: Our family purchased our home in Enchanted Oaks a few years ago with the hopes of raising our 3 young boys in a quiet and safe neighborhood. We are highly opposed to any property within our neighborhood being rezoned to use commercially. As stated in our deed restrictions, "The Lots in Enchanted Oaks Subdivision shall be described as single family residential lots." We believe these deed restrictions were established to protect the use of the properties as personal residences, protect the value of the properties in the neighborhood, and limit traffic into the neighborhood. If we allow this re-zoning to move forward, what precedent does this set for the future of our neighborhoods in the city of Fair Oaks? The City of Fair Oaks has always been set apart with a special charm that I hope we can all continue to work together in preserving, understanding that with growth will come the need for additional commercial services which should be established in areas not zoned for residential use.

Total Control Panel[Login](#)

To: kschweitzer@fairoaksranchtx.org

Message Score: 30

High (60): **Pass**

From: cbl26@hotmail.com

My Spam Blocking Level: Custom

Medium (75): **Pass**

Low (90): **Pass**

[Block](#) this sender

Custom (40): **Pass**

[Block](#) hotmail.com

This message was delivered because the content filter score did not exceed your filter level.

Public Comment Form



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Name:

Robert Lee

Address:

8902 Enchanted Elm FOL 78015

Signature:

[Signature]

Date:

1/29/23

Comments:

I am against this rezoning request.
Our neighborhood was not designed to include

Public Comment Form



210-698-0900 (office)

CITY OF FAIR OAKS RANCH

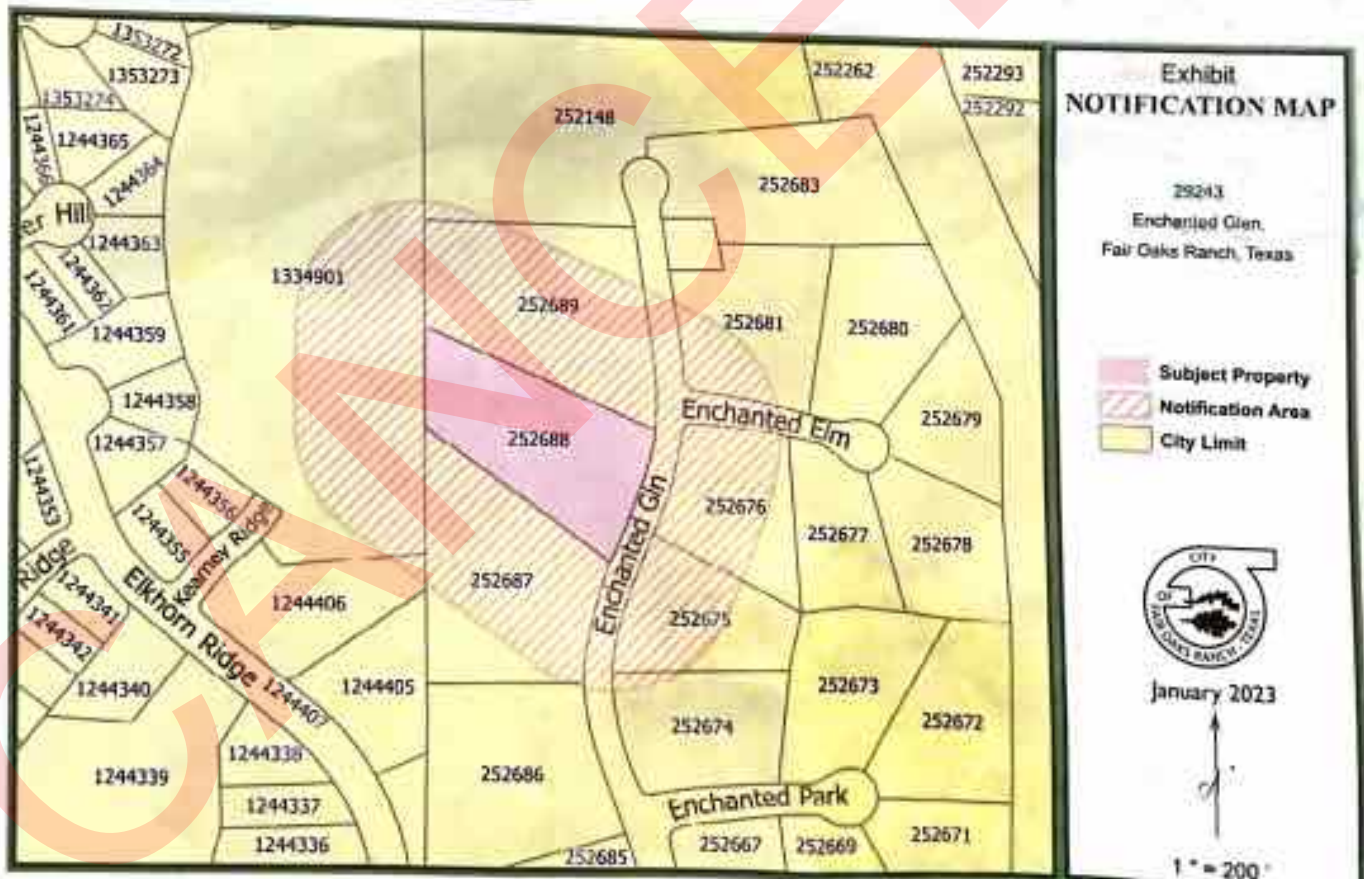
7286 Dietz Elkhorn, Fair Oaks Ranch, Texas 78015

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commercial traffic. Rezoning would negatively impact our quality of life and diminish our property value. There are other options available for day-care operations. Please respect the wishes of the residents of Enchanted Oaks, some of which have resided here for decades. We don't want any commercial business in our residential neighborhood.

Map showing the subject property



Public Comment Form



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Name:

Address:

Signature:

Date:

Comments:

FROM THE DESK OF

Robert and Kathy Lee

January 31, 2023

Robert and Kathy Lee
30 year property owner
Enchanted Oaks Subdivision
Fair Oaks Ranch, Texas

RE: (Rezoning No. 2023-02-09)

Dear City of Fair Oaks Ranch,

This letter is an attachment to the Public Comment Form, City of Fair Oaks Ranch.

Comments:

We are against the rezoning request as explained on the attached public notice for Rezoning No. 2023 02-09. This is a very small neighborhood (under 18 lots) and not designed for commercial traffic or public school traffic. Rezoning for a commercial business would further impact this small subdivision and negatively effect the quality of life as well as allowing us to carry on daily lives and trying to get our family to and from work (our lively hood) and school. This would also decrease property value and the appeal of the 30 + yr Enchanted Oaks Community. The families of Enchanted Oaks are a close community. Several public comments have referenced other areas and the destruction and devastation that has taken place from the approval of businesses such as this proposal and the serious effects as a result.

This Rezoning No. 2023 02-09 would only further be a means that would detain us from getting to our work place and home in the evenings. Since the building of Van Raub Elementary our neighborhood, neighbors, friends and family are often displaced or greatly detained due to the public elementary school traffic. In the afternoon we as residents have waited over 20 minutes to enter our subdivision and homes all with in less than being 50' away from our subdivision entrance. The school traffic parks in our small neighborhood for various events and has blocked driveways and property on numerous occasions and we are awaiting for an adjustment and law enforcement to police this area during arrival, dismissal and special evening events in order that may we reach our homes.

Thank you for declining the request to further disrupt an already challenging situation.

Sincerely yours,
Robert and Kathy Lee
30 year property Enchanted Oaks Subdivision

Public Comment Form



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Name:

Robert and Nancy Hudson

Address:

29213 Enchanted Glen Fair Oaks Ranch, TX 78015-4911

Signature:

Robert Hudson Nancy Hudson

Date:

30 January 2023

Comments: