

Text Amendment: Allowing attached patio encroachments in residential areas Veramendi

### PLANNING COMMISSION – June 4, 2019 – 6:00PM

New Braunfels City Hall Council Chambers

**Applicant/Owner:** ASA Properties

PRESLEY ROBERT K & JUDITH A

Address/Location: Veramendi project

## PROPOSED SPECIAL USE PERMIT - CASE #ORD19-122

All information is from the Appraisal District Records. The property under consideration is marked as "Subject Property".

BLUM DEE MONK JOHN A & MARY L

PRIBYL JO ANN H WHITE MELISSA

LIGHTSEY JEFFREY L & MOLLY B BROWN TOMMY A & LINDA

MARSHALL ERIC E PELICANO NUSHA
HARRISON MATTHEW R & SHERRY G MONKS CORY & SARAH

PERRO DONALD A & JO ANN M DAVEY PETER F & TERESA A

BEASLEY DEBBIE RADFORD BRANDON D & AMANDA

PENNYPACKER-TUCKER DEBORAH A LIVING PHILLIPS PAUL E & MARIA M
NAJAR JACK C COLLINS CRAIG E & STACEE R

JIMENEZ RUDY

RHODES PATRICK D & KATHERINE A

SMITH KENNETH D

ONEAL-MELLEN PATRICIA A & JAMES E

ELSWICK ROBERT

PATEL SUNITBHAI A & BHAVINIBEN S

RAINEY MONTY L & DENISE M

ALONZO CARLOS A & CATHERINE M

STARR DARRYL F & CYNTHIA

HARRELL MICHAEL S & JULIANNE P

SHIELDS DOUGLAS S & LISA L

HOLTZ KIMBERLY R

PARKS PATRICIA JANE

BACHER BYRON L & JULIE

JOHNSON-CHILCOTE JUDY RVCBL LVNG
NEWBY ALPHONZO L
BROWN REX L & MARY A

STROUT ROBERT E & SUSAN J WORL BETTY M

BERRY SHANE & ISABELLA GARNER TODD L & CARI A
VERHELST JOHN D & ANGALA E ALLEN AMY & GARY

LOFTIN JOSEPH B CHRISTIAN MARK W & KIMBERLY J

BAUMGARDNER HAYNES M III & LUCINDA DRUMMER CORINNE C

NOWAK RAYMOND A & LINDA E PLOCICA TIMOTHY J & THERESA F BYNUM HOWARD D & VICKIE S MEJIAS CARLOS E & WANDA N

BRAWNER THOMAS F

WELCH SCOTT M & JANE

DALE THOMAS D & CLARA J

SAMPSON STEPHEN M & LINDA J VILLARREAL ALBERT & REBECCA M

STAPLETON THOMAS M & MARTHA L DIRBA JOHN & ERICA

MCCALL BARRY TOLLE PATRICK E & CAROL S

OAKRUN PROPERTY OWNERS SMALLWOOD ROBERT A & CHRISTINE B

STARNES JESSICA & JASON PRENAVO SCOTT A & AMY M
BECKER ARNO & JIMMIE B JACKSON TRAMELL & TARNISHA
WITHERELL ALLEN D & COURTNEY F GOERGES EDWARD A & DIANNE S

COSTELLO JOSEPH M & CONNIE S
BEYER JEFFREY S & MELODIE A
BOURGEOIS KARL F & MARY A
KENNEY ERNEST & KATHERINE M
HARRIS RANDALL W
WALKER JOSEPH & WENDY S
HAAS WILLIAM N & VICKI L GRAY
BERGER DAVID C
LANGFORD JOYCE A
MORRIS ROBERT J & JEAN M
SCHUMUCKER CHRISTOPHER J
PROPERTY OWNER
LEVETT L MARTIN & SHARON A
RICKS FLETCHER W & MARY R
HILL JAMES W & REBECCA L

FIGUEROA ARTURO G III & REBECA M

TOMLINSON MARK R
FUSSELL JOSHUA S & DESIREE N
NEW BRAUNFELS SERVICE CENTER LTD
NEW BRAUNFELS OFFICE LTD
KUPFERNAGEL ALAN W & SUZANNE E
FOGERTY MICHAEL & SUSAN M
AIROLA JERRYD M & JESSICA R
BRAWNER DONALD L & KARAN D
BICK JOHN D & SUZETTE L
HARRIS JAMES R & JANET
THOMAS CHRISTOPHER J
HAAS ROBERT N & RANDI G H
WYNN JANICE M & RICHARD K
STREET BARRY J SR & BLANCHE C
HARRIS STEVE L & TERESA

## **SEE MAP**

 From:
 mike fogerty

 To:
 Matthew W. Simmont

 Subjects
 ORD #40, 423

Subject: ORD#19-122

**Date:** Tuesday, May 28, 2019 6:52:11 PM

#### Matthew,

This is in response to the Notice of Public Hearing for ASA Properties. I have been a supporter of the Veramendi project in the past. I support the proposed rear setback variance/amendment. I would hope if in the future I need a variance on my property, the city would be open to my request. Please contact me if you have any questions.

Michael Fogerty 14 Oak Mist New Braunfels, TX 78132 210-331-1228 From: Sharon Carewell Levett

To: Matthew W. Simmont; Stacy Snell
Subject: Meeting tonight - Case: #0RD19-122 ms
Date: Tuesday, June 4, 2019 4:26:46 PM

#### Good Afternoon:

I have a question about the amendment to Veremendi documents allowing attached patios to encroach into the rear setback up to a maximum of five feet. Does this apply to the entire development or is there a defined section?

If it includes the entire development or the proposed construction of residences along the property lines of Oak Run Subdivision, my official public comment/request is as follows:

It is sincerely appreciated that ASA Properties has demonstrated they plan to continue to be a good neighbor by agreeing to limit the height of neighboring homes to single-story that will be adjacent to existing homes in Oak Run Subdivision.

I request that the language in the amendment for ORD19-122 should be crafted to not allow the encroachments of patios into the setback area for those same homes that will be constructed adjacent to Oak Run Subdivision.

When buyers purchase homes within Veremendi that are behind other new construction homes they should be notified or will be able to see the proximity of the neighboring patio to their new home, patio, and yard when making the informed decision to purchase.

The backyards of some of the existing homes are shallow and homes/patios are at or near the setback zone, but do not encroach and are similar to other properties within Oak Run. When selling a home with the patio of a Veremendi home five feet closer to the fenceline, it will adversely affect the appeal and value as compared to competing homes for sale in Oak Run Subdivision. The established and adhered to setback areas are there to allow for homeowners to enjoy their outdoor space with some degree of privacy and we should continue to have that ability in the future.

Thank you for addressing my concerns when making your recommendation to go before City Council and subsequently into the Development and Design Control Document.

Regards,

Sharon Levett

# 2379 Oak Pebble

Sharon Carewell Levett, RDN/LD Nutritionist/Dietitian