



Professionally Managed By

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March 4, 2022

San Antonio Water System

Attn: Bruce Haby

2800 US Hwy 281 N., Tower 2

San Antonio, Texas 78212

Re: 8501 Monument Oak CB 4709H Blk 6 Lot 33 (Well Site)

The Woods Subdivision Unit 1, P.U.D

Dear Mr. Haby;

SAWS is currently marketing the sale of Lot 33 Block 6 in the Woods Subdivision Unit 1, also known as 8501 Monument Oak and Bexar CAD property ID 254543. This odd flag-shaped lot was plated as a well site and not zoned for a purpose. The lot is between a variable width drainage easement and a community green belt. It is immediately adjacent to and behind The Woods community playground. The necessary variable width drainage extends on to part of this lot must remain in perpetuity as drainage issues have been prevalent in this area. The Woods HOA will not support any type or size of abandonment of the variable width drainage easement. The configuration of this lot may have been ideal for its original use as a well site, however it is not going to be possible to build a single-family home that complies with the community restrictions. It was mentioned, a possible use for the lot was for storage. The community documents will only allow single family residences to be constructed. It can not be used for open storage of materials. Furthermore, zoning of this lot for storage purposes will need to be requested through the Fair Oaks P&Z, allowing the owners of The Woods to contest its rezoning.

I have attached a copy of the Declaration of Covenants, Conditions and Restrictions for your information. Article Three, Use Restrictions and Architectural Standards, General. 3.1 on page 12,

“The Lots shall be improved and used for single family residential use only.”

It further states Article Three, Residential Use Only. 3.5 on page 13,

“All Lots shall be used for single-family residential purposes only. Single family use consists of use as a dwelling by two or more natural persons...”

If you read on through this section of the document, it indicates each home must have at least a 2 car garage. Each home must be at least 2300 square feet, exclusive of garages and open spaces. A one story home must have at least 1800 square feet on the bottom floor, again exclusive of the garage. There are setback requirements of 30 feet from the rear property line, 15 feet from the side lot lines. Garages can not face the street, all must be side entry. It does appear the buildable area inside of the setback lines and the space required for a side entry garage is less than the minimum required 1800 square feet.

The community documents require that all lots have a minimum of 51% permeable surface (Section Three, 3.30) The existing access drive is approximately 30% of the lot. From a preliminary view, it would appear that there are no options for adding the additional residential footprint and garage slab plus the driveway required for the side entry garage without going over 50%.

In addition to the requirements in the community DCC&R's this particular property has been used as a well site. It is our understanding the water well has been capped in accordance with existing TCEQ rules and requirements. That does not mean it is advisable to pour a slab for a home on top of a capped well. The well was optimally located at the end of the access drive for Lot 33. Without having the benefit of a survey, it appears the location of the capped well will further restrict the placement of the slab for the home.

Bexar CAD indicates this is a 0.3907 acre lot. The Woods at Fair Oaks homes do not have access to a public sanitary sewer system. Each home is required to have a septic system. It is our understanding under State and County regulations that the minimum property size to install a septic system is 0.50 acres. Lot 33 does not appear to be large enough to install or even irrigate the effluent for any type of septic system (OSSF). Additionally, information obtained from the City of Fair Oaks Ranch, locates the nearest sewer line connection to be located at the intersection of Fair Oaks Parkway and Pimlico Lane which is approximately 4 miles along current ROW or Utility access easements.

An examination of the plat for this property shows the variable width drainage easement runs along the exact boundary of this lot. When this was a well and water storage area, it did not matter if water occasionally ran over the property. The existing access drive to the lot, is in the drainage easement. There are culverts under the existing 7,000 square foot access drive from Monument Oak to allow water to flow underneath. Water does flow through this drainage easement. The community has seen an increase in the water flowing through the drainage easements from construction in the area. Construction on this property of any kind would be at risk of flooding.

Respectfully,

Nathan Brit

Nathan Brit
President, The Woods at Fair Oaks HOA
Fair Oaks Ranch, Texas 78015

Cc: Bexar County Public Works (Building Permits, Environmental Services (OSSF) and Floodplain Permits Divisions)
City of Fair Oaks Ranch Engineering and Building Inspections Department