

July 17, 2023

City of Dripping Springs – Planning Department

We are in receipt of the notice to replat lots in the Cortaro Subdivision. Due to a previous commitment, we are unable to attend the meeting; therefore, I am asking you to include this correspondence in the meeting packet and that it will be considered by the planning department.

We live directly behind the subject lots, specifically 548 Cortaro. In 2019 before we bought at Harrison Hills, we went to the building department to discuss the property behind our potential home. We were told two things:

- The beautiful tagged huge oak trees would not be allowed to be cut down when Cortaro was developed.
- The walking path was platted and would be available for public use.

As a result of that conversation with your planner, we purchased our new home at 1373 Bearkat. We fully believed that the trees would remain creating even more of a buffer between our property and the potential new home. We installed a fence with a gate, so we could access the walking path, which runs parallel to our fence. For a couple of years we used this access. This access was important, not just because it allowed us to use the walking path, but because we are on a flag lot. Our extremely long concrete driveway is poorly constructed because of the City's lack of code requirements (at that time) thus; we try to keep anything heavy off of it. Having rear access to our yard would allow us to help preserve this concrete, which is going to cost hundreds of thousands of dollars to replace.

When Cortaro started building, we again went to the City and inquired if the walking path would remain. After researching, the City responded and said yes.

To our surprise, the beautiful oaks were torn down. The City sent someone immediately to the property but then came back and told us there was no requirement to keep the trees. We were either lied to or misinformed.

Now the owners have taken it upon themselves to replat the lots, with no consideration to the investment that we and our other neighbors in Harrison Hills have made with the installation of gates and fencing. There is no consideration to what we were told which led us to purchase in 2019. With the replating, they are instantly gaining at least 3300 usable sq feet behind my home alone. More importantly, they gained the ability to use our rear fence as part of their side yard saving them thousands of dollars.

We never heard from the new owner regarding the utilization of our fence as a buffer or their plan to replat. It is a shame that by simply hiring an attorney to draw up the proper paperwork,

that the information that we were told is negated. The owner at 548 Cortaro's property increased thousands of dollars, while we misinformed by the City over and over.

In summary, we would have NOT purchased our home if the City had told us the truth regarding the lot behind us. We specifically bought this lot because of the trees in Cortaro and the walking path. We took the time to do our due diligence, but the City failed us.

We would not have installed a rear fence, if we knew it would be utilized by another neighbor. The cost of the fence should have been split.

We certainly would not have spent the money to install a gate.

We believe that if the City approves this replating, the owners should be instructed to provide us with compensation for gate/fence. Additionally, we urge the City leaders to investigate why we and our neighbors were misinformed over and over by City personnel.

Sincerely,  
Brett and Denise Nemanich  
1373 Bearkat Canyon Drive  
Dripping Springs, Tx 78620

Cc: Michelle Fischer, City Adminsitrator