

**NOTICE OF PLANNING & ZONING COMMISSION BRIEFING SESSION
AUGUST 28, 2018
CITY COUNCIL CONFERENCE ROOM
401 S. ROGERS
WAXAHACHIE TEXAS
6:30 P.M.**

Agenda

Commission Members: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
Erik Barnard
David Hudgins

1. Call to Order
2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting
3. Adjourn

This meeting location is wheelchair-accessible. Parking for mobility impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at 469-309-4005 or (TDD) 1-800-RELAY TX

Notice of Potential Quorum

One or more members of the Waxahachie City Council may be present at this meeting. No action will be taken by the City Council at this meeting.

A G E N D A

The Waxahachie Planning & Zoning Commission will hold a regular meeting on ***Tuesday, August 28, 2018 at 7:00 p.m.*** in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Commission Members: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
Erik Barnard
David Hudgins

1. Call to Order
2. Invocation
3. ***Public Comments:*** Persons may address the Planning & Zoning Commission on any issues. This is the appropriate time for citizens to address the Commission on any concern whether on this agenda or not. In accordance with the State of Texas Open Meetings Act, the Commission may not comment or deliberate such statements during this period, except as authorized by Section 551.042, Texas Government Code.

4. ***Consent Agenda***

All matters listed under Item 4, Consent Agenda, are considered routine by the Planning & Zoning Commission and will be enacted by one motion. There will not be separate discussion of these items. Approval of the Consent Agenda authorizes the Chairman to execute all matters necessary to implement each item. Any item may be removed from the Consent Agenda for separate discussion and consideration by any member of the Planning & Zoning Commission.

- a. Minutes of the regular Planning & Zoning Commission meeting of August 14, 2018
 - b. Minutes of the Planning and Zoning Commission briefing of August 14, 2018
5. ***Consider*** request by Andrew Garrett for a **Preliminary Plat** of City View Plaza for 6 lots, being 5.872 acres situated in the WC Calder Survey, Abstract 235 (Property ID 181707) – Owner: KARSEN HEIGHTS LLC (PP-18-0126)
6. ***Consider*** request by Richard Webb, Tilson Home Corporation, for a **Final Plat** of Tilson Home Addition Phase 1 for 1 lot, being 2.148 acres situated in the John Fifer Survey, Abstract 351 (Property ID 183319) – Owner: TILSON HOME CORPORATION (FP-18-0128)
7. ***Public Hearing*** on a request by Ann Sayegh for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 S.F.** use within a Rural Residential zoning district, located at 3360 FM 877, 5 & 6 LINDMARK ESTS 4.072 ACRES (Property ID 231002) - Owner: WILLIAM & ANN SAYEGH (SU-18-0130)
8. ***Consider*** recommendation of Zoning Change No. SU-18-0130

9. **Consider** request by Bryan Connally, CBG Surveying, LLC, for a **Final Plat** of Rodriguez-King Addition for 2 lots, being 2.00 acres situated in the Silas M. Durrett Survey, Abstract 272 (Property ID 182038) – Owner: CFLP INVESTMENTS LLC (FP-18-0124)
10. **Consider** request by KDJ Investments LLC for a **Replat** of Tract 9A, Whispering Meadows Addition, to create Lots 1 through 4, Boyce Farms Addition, 4.997 acres (Property ID 210307) in the Extra Territorial Jurisdiction – Owner: A GARRETT REAL ESTATE VENTURES LLC & KDJ INVESTMENTS LLC (RP-18-0127)
11. **Consider** request by Shaun Whitaker for a **Preliminary Plat** of Abele/Whitaker Estates for 1 lot, being 4.999 acres situated in the C. White Survey, Abstract 1109 (Property ID 250610) in the Extra Territorial Jurisdiction – Owner: PATTY ABELE (PP-18-0122)
12. **Consider** request by Shaun Whitaker for a **Final Plat** of Abele/Whitaker Estates for 1 lot, being 4.999 acres situated in the C. White Survey, Abstract 1109 (Property ID 250610) in the Extra Territorial Jurisdiction Owner: PATTY ABELE (FP-18-0123)
13. Adjourn

The P&Z reserves the right to go into Executive Session on any posted item.

This meeting location is wheelchair-accessible. Parking for mobility-impaired persons is available. Any request for sign interpretive services must be made forty-eight hours ahead of the meeting. To make arrangements, call the City Secretary at (469) 309-4005 or (TDD) 1-800-RELAY TX.

Notice of Potential Quorum

One or more members of the Waxahachie City Council may be present at this meeting. No action will be taken by the City Council at this meeting.

Planning and Zoning Commission
August 14, 2018

The Waxahachie Planning & Zoning Commission held a regular meeting on Tuesday, August 14, 2018 at 7:00 p.m. in the Council Chamber at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
Erik Barnard
David Hudgins

Others Present: Shon Brooks, Director of Planning
Kelly Dent, Planner
James Gaertner, City Engineer
Tommy Ludwig, Executive Director of Development Services
Amber Villarreal, Assistant City Secretary
Mary Lou Shipley, Council Representative

1. **Call to Order**
2. **Invocation**

Chairman Rick Keeler called the meeting to order and gave the invocation.

3. **Consent Agenda**

- a. Minutes of the regular Planning & Zoning Commission meeting of July 24, 2018
- b. Minutes of the Planning and Zoning Commission briefing of July 24, 2018

Action:

Ms. Bonney Ramsey moved to approve item a. and b. on the Consent Agenda. Vice Chairman Melissa Ballard seconded, All Ayes.

4. **Consider request by Michael Davis, Bannister Engineering, for a Replat of Lot 16, Block 5, Spanish Grant, Phase II to create Lots 16R1 and 16R2, Block 5, Spanish Grant, Phase II, being 3.292 acres out of the William Ferrell Survey, Abstract 349 (Property ID 155968) in the Extra Territorial Jurisdiction – Owner: NIX JOHNNY E & CARI D (RP-18-0118)**

Planner Kelly Dent presented RP-18-0118 noting staff recommended approval as presented.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Michael Davis, Bannister Engineering, for a Replat of Lot 16, Block 5, Spanish Grant, Phase II to create Lots 16R1 and 16R2, Block 5, Spanish Grant, Phase II, being 3.292 acres out of the William Ferrell Survey, Abstract 349 (Property ID 155968) in the Extra Territorial Jurisdiction – Owner: NIX JOHNNY E & CARI D (RP-18-0118) subject to Staff Comments. Mr. David Hudgins seconded, All Ayes.

5. Consider request by Chris Acker, Acker Construction, for a Replat of Lot SPT 1 Block 194 of the Town Addition to create Lot 1, Block A, Dunlap Addition, 0.395 acres (Property ID 234842) – Owner: SOUTHFORK LLC (RP-18-0117)

Ms. Dent presented RP-18-0117 noting staff recommended approval per the following staff comments:

1. If Block 194 has not been replatted previously, the plat will need to show all of the current Block 194, and signatures will be required before this plat can be filed.

Ms. Dent explained staff has been unable to locate a copy of the Town plat at the Ellis County Clerk's Office. However, Block 194 is shown in the 1946 Hawkins Map. The Hawkins Map depicts Block 194 as extending from Marvin Avenue south to Dunlap Street, and east to Bradshaw Street. No replat of Block 194 has been located in the Ellis County records. Therefore, the applicant will need to obtain signatures from the other seven properties that are part of Block 194 or petition to City Council for a hardship waiver.

Mr. Chris Acker, 5100 Honeysuckle Ct., Midlothian, noted he will request a waiver to City Council.

Ms. Dent noted there were two letters of support from Chris Acker and Brad Yates and one letter of opposition from Elizabeth Lacy stating she does not want to sell her property.

Action:

Vice Chairman Melissa Ballard moved to approve a request by Chris Acker, Acker Construction, for a Replat of Lot SPT 1 Block 194 of the Town Addition to create Lot 1, Block A, Dunlap addition, 0.395 acres (Property ID 234842) – Owner: SOUTHFORK LLC (RP-18-0117) subject to Staff Comments. Ms. Bonney Ramsey seconded, All Ayes.

6. Continue Public Hearing on a request by Verlin Taylor, VKT Associates, for a Zoning Change from a Commercial zoning district to Planned Development-Commercial, with Concept Plan, located at 1501 Dr. Martin Luther King Jr. Blvd., being 272 S M DURRETT 0.3426 ACRES (Property ID 182074) - Owner: VKT ASSOCIATES LLC (PD-18-0079)

Chairman Keeler continued the Public Hearing.

Ms. Dent presented PD-18-0079 noting the applicant has met with numerous city departments to comply with city codes. She explained TxDOT did not approve the second entrance off of MLK, Jr. Boulevard; therefore, the entrance and exit will be on Graham Street. She reviewed the following outstanding comments:

1. Parking is shown on-site but must be sufficient for the development.
2. Provide parking and driveway layout to access and exit the site.

Ms. Dent noted there were two letters of opposition received from Edward Martinez and Rosie M. Spain and one letter of support from Maggie Jones.

Mr. Verlin Taylor, 2787 N. Houston, Dallas, entertained questions or concerns from the commission.

The commission expressed the following concerns: parking, accessibility, traffic safety, poor drainage, inadequate infrastructure, and too large of development for this size lot.

Mr. Taylor explained he revised his initial submittal to address the commissions and staff's concerns and noted he does not believe there will be excessive traffic.

There being no others to speak for or against PD-18-0079, Chairman Keeler closed the Public Hearing.

Chairman Keeler asked Ms. Dent if there is a food truck use category in our current commercial zoning and she noted there is not. Mr. Keeler asked if the restroom on the skid complies with commercial zoning and Planning Director Shon Brooks explained the zoning is silent on that issue. Mr. Taylor informed the commission that the restrooms will be fully concrete, connected to city water and sewer and be immovable.

7. Consider recommendation of Zoning Change No. PD-18-0079

Action:

*After a lengthy discussion, Ms. Betty Square Coleman moved to deny a request by Verlin Taylor, VKT Associates, for a Zoning Change from a Commercial zoning district to Planned Development-Commercial, with Concept Plan, located at 1501 Dr. Martin Luther King Jr. Blvd., being 272 S M DURRETT 0.3426 ACRES (Property ID 182074) - Owner: VKT ASSOCIATES LLC (PD-18-0079). Ms. Bonney Ramsey seconded. The vote was as follows: **Ayes:** Rick Keeler, Melissa Ballard, Betty Square Coleman, Bonney Ramsey, and Jim Phillips. **Noes:** Erik Barnard and David Hudgins. **The motion carried 5-2.***

8. Public Comments

Ms. Melissa Olson, 202 Stampede, explained she met with the two residents who opposed RP-18-0117 and cleared up their confusion about receiving letters regarding someone wanting to purchase their homes; however, they still opposed the Replat.

9. Adjourn

There being no further business, the meeting adjourned at 7:52 p.m.

Respectfully submitted,

Amber Villarreal
Assistant City Secretary

Planning and Zoning Commission
August 14, 2018

The Waxahachie Planning & Zoning Commission held a briefing session on Tuesday, August 14, 2018 at 6:30 p.m. in the City Council Conference Room at 401 S. Rogers St., Waxahachie, TX.

Members Present: Rick Keeler, Chairman
Melissa Ballard, Vice Chairman
Betty Square Coleman
Bonney Ramsey
Jim Phillips
Erik Barnard
David Hudgins

Others Present: Shon Brooks, Director of Planning
Kelly Dent, Planner
James Gaertner, City Engineer
Tommy Ludwig, Executive Director of Development Services
Amber Villarreal, Assistant City Secretary
Mary Lou Shipley, Council Representative

1. Call to Order

Chairman Rick Keeler called the meeting to order.

2. Conduct a briefing to discuss items for the 7:00 p.m. regular meeting

Planner Kelly Dent reviewed the following three cases on the agenda:

- RP-18-0118 is in the ETJ and the request is to replat Lot 16, Block 5, Spanish Grant, Phase II to create Lots 16R1 and 16R2. The applicant has outstanding filing fees due to Ellis County.
- RP-18-0117 is a replat of Block 194 of the Town Addition. In researching the area, Block 194 was never platted; therefore, there are eight property owners in this block. The applicant will need to either obtain signatures from the remaining property owners in this block or petition to city council for a hardship waiver.
- PD-18-0079 was resubmitted with changes as recommended by city staff. The applicant met with numerous city departments to bring his request into compliance with city code. The applicant has obtained a shared parking agreement with the church across the street from the development site. Ms. Dent noted TxDOT denied the applicant's request for an entrance off of MLK, Jr. Boulevard. The commission discussed concerns with parking and traffic safety.

3. Adjourn

There being no further business, the meeting adjourned at 7:00 p.m.

Respectfully submitted,
Amber Villarreal, Assistant City Secretary

Planning & Zoning Department

Plat Staff Report

Case: PP-18-0126



MEETING DATE(S)

Planning & Zoning Commission: August 28, 2018

City Council: September 4, 2018

CAPTION

Consider request by Andrew Garrett for a **Preliminary Plat** of City View Plaza for 6 lots, being 5.872 acres situated in the WC Calder Survey, Abstract 235 (Property ID 181707) – Owner: KARSEN HEIGHTS LLC (PP-18-0126)

CASE INFORMATION

Applicant: Andrew D. Garrett

Property Owner(s): Karsen Heights LLC

Site Acreage: 5.872 acres

Number of Lots: 6 lots

Number of Dwelling Units: 0 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at **\$3,523.20** (5.872 acres at \$600.00 per acre).

Adequate Public Facilities: City services are available

SUBJECT PROPERTY

General Location: NEC Meagan Street @ NB Frontage Road Highway 287

Parcel ID Number(s): 181707

Current Zoning: Planned Development-75-General Retail

Existing Use: Currently undeveloped

Platting History: WC Calder Survey, Abstract 235

Site Aerial:



STAFF CONCERNS

1. None

APPLICANT RESPONSE TO CONCERNS

1. Applicant submitted revisions. All comments have been cleared.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☒ Approval, as presented.
- ☐ Approval, per the following comments:

ATTACHED EXHIBITS

1. Plat drawing
2. Utility plan

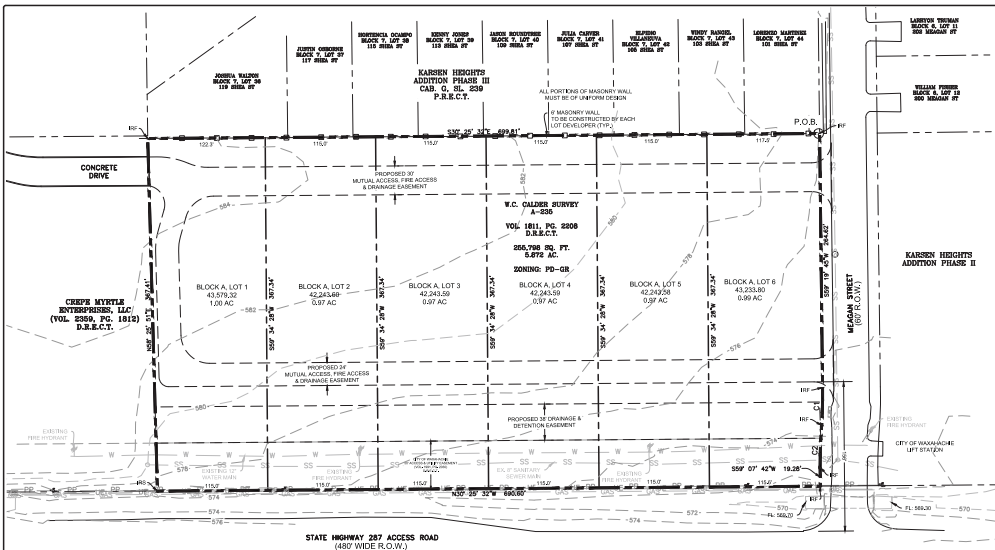
APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

STAFF CONTACT INFORMATION

Prepared by:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

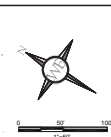
Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



CURVE TABLE						
CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
C1	00°47'19"	470.00'	19.85'	39.28'	S 61°27'46" W	39.27'
C2	00°46'55"	530.00'	22.13'	44.24'	S 61°59'40" W	44.22'

NOTES:

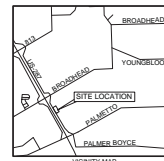
1. Bearpaw is located between Texas State Plans Commission, Projection: State Plane 8303 Texas North Central Zone 4202, Lambert Conformal Projection, Scale: 762831=1 inch.
2. By graphical projection, the parcel described herein lies within an Area of Minimal Flooding (Zone X) as delineated on the Ellis County, Texas and Comal County, Texas Flood Insurance Rate Map, Map Number 48136C0100, dated June 3, 2013, published by the Federal Emergency Management Agency (FEMA). The Surveyor utilized the above referenced floodplain information to create this Flood Insurance Statement. The Surveyor does not intend to provide Flood Insurance Information that is more detailed than that reviewed/ Flood Insurance Information has or has not been published by FEMA or some other source. On occasion, greater floods can and will occur and flood insurance may be lost by the insured by man-made or natural causes. The above flood statement shall not create liability on the part of the Surveyor.
3. This survey was prepared without the benefit of a title commitment.
4. No buildings are on this property.



OWNER:
KARSEN HEIGHTS LLC
PO BOX 224
MIDLOTHIAN, TX 76065

DEVELOPER:
CODY MOORE
1623 WILDFLOWER DR
WAXAHACHIE, TX 75166

ENGINEER:
WESTFALL ENGINEERS
PO BOX 250485
PLANO, TX 75025
TBPE FIRM REG. # 1910



WESTFALL
ENGINEERING

PO BOX 250485
PLANO, TX 75025
TBPE FIRM REG. #19101

THIS DOCUMENT IS RELEASED
FOR REVIEW PURPOSES ONLY
UNDER THE AUTHORITY OF
MICHAEL WESTFALL, P.E.
07094 IN JULY, 2018. IT IS
NOT TO BE USED FOR
CONSTRUCTION

CITY VIEW PLAZA
WAXAHACHIE, TX

PRELIMINARY PLAT

[illegible]

LAND SURVEYOR
GRIFFITH SURVEYING CO., LLC
605 AVENUE B, SUITE 115
LONGVIEW, TX 75604
(903) 295-1560
FAX (903) 295-1570
FIRM NO. 10081600, JOR NO. ECD-148

PLAT OF SURVEY
5.872 ACRES
SITUATED IN THE
W.C. CALDER SURVEY A-235
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

SHEET C1

Planning & Zoning Department

Plat Staff Report

Case: FP-18-0128



MEETING DATE(S)

Planning & Zoning Commission: August 28, 2018

City Council: September 4, 2018

CAPTION

Consider request by Richard Webb, Tilson Home Corporation, for a **Final Plat** of Tilson Home Addition Phase 1 for 1 lot, being 2.148 acres situated in the John Fifer Survey, Abstract 351 (Property ID 183319) – Owner: TILSON HOME CORPORATION (FP-18-0128).

CASE INFORMATION

Applicant: Richard Webb, Tilson Home Corp.

Property Owner(s): Tilson Home Corporation

Site Acreage: 2.148 acres

Number of Lots: 1 lot

Number of Dwelling Units: 0 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at **\$1,288.80** (2.148 acres at \$600.00 per acre).

Adequate Public Facilities: The development is on City water. At present, the development is on septic, however, there is a note on the plat that states that any further development of the property necessitates connection to City sanitary sewer. Additionally, when sewer becomes available, the development must convert from septic to sewer, regardless of whether further development occurs on the site.

SUBJECT PROPERTY

General Location: 2170 S Interstate 35

Parcel ID Number(s): 183319

Current Zoning: General Retail w/SUP (Ordinance No. 2840)

Existing Use: Currently undeveloped

Platting History:

The preliminary plat was approved by City Council May 15, 2017.

Site Aerial:



STAFF CONCERNS

1. The development is on City water. At present, the development is on septic, however, there is a note on the plat that states that any further development of the property necessitates connection to City sanitary sewer. Additionally, when sewer becomes available, the development must convert from septic to sewer, regardless of whether further development occurs on the site.

APPLICANT RESPONSE TO CONCERNS

1. All comments have been cleared. The concerns above are a notification.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☐ Approval, as presented.
- ☒ Approval, per the following comments:
 1. Any further development of the property necessitates connection to City sanitary sewer.
 2. When sewer becomes available, the development must convert from septic to sewer, regardless of whether further development occurs on the site.

ATTACHED EXHIBITS

1. Plat drawing

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner

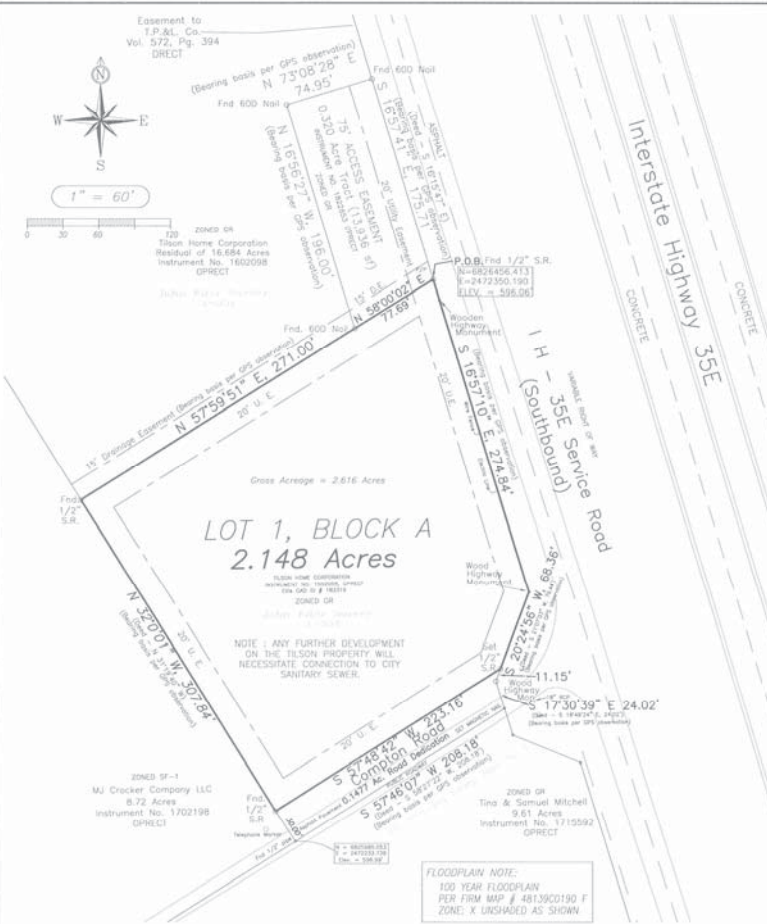
kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com



Field Notes
2.148 Acres

Being a portion of all that certain lot, tract, or parcel of land in the City of Waxahachie, Ellis County, Texas in the John Fifer Survey, Abstract No. 351, and being a part of a called 16.684 acres as described in deed by instrument No. 1602098, Official Public Records, Ellis County, Texas (OPRECT), and being more particularly described as follows:

BEGINNING at the northeast corner of this tract and on the easterly line of said 16.684 acres tract, being on the westerly right of way of U.S. Interstate Highway 35 East (I-35E) and being the southeast corner of an un-filed access easement at a 3/4" steel rod found with a yellow cap stamped "RPLS 4466", the bearing basis for this description from GPS observation, Texas North Central Zone 4202, NAD 83 datum, and having beginning co-ordinates of Northing = 6826456.413, Easting = 2472350.190, Elevation = 596.06 feet above sea level;

THENCE S 16°57'10" E, 274.84 feet (Deed - S 16°15'47" E) along the east line of this tract and same for said 16.684 acres tract, and along said I-35E to a wooden Right of Way monument found for the easternmost southeast corner of this tract;

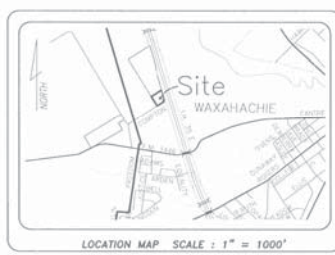
THENCE S 20°24'56" W, 68.36 feet (Deed - S 21°07'03" W, 79.44 feet) along a southeast line of this tract and same for said 16.684 acres tract, and along the right of way of I-35E to a 3/4" steel rod set with a yellow cap stamped "RPLS 4480" for the southernmost southeast corner of this tract, and being on the northwest right of way of Compton Road;

THENCE S 57°48'42" W, 223.16 feet along the southernmost southeast line of this tract and across said 16.684 acres tract, departing I-35E and along the recognized northwest right of way of Compton Road to a 3/4" steel rod found with a yellow cap stamped "RPLS 4466" for the south corner of this tract, being 30 feet N 37°00'01" W from the centerline of said road, said centerline point being the east corner of a called 8.72 acres tract of land as described in deed by instrument No. 1702198, OPRECT;

THENCE N 37°00'01" W, 307.84 feet (Deed - N 31°19'40" W) departing Compton Road, along the southwest line of this tract and same for said 16.684 acres tract, and along the northwest line of said 0.72 acres tract to a 3/4" steel rod found with a yellow cap stamped "RPLS 4466" for the west corner of this tract;

THENCE N 57°59'21" E, 271.00 feet along the northwest line of this tract and across said 16.684 acres tract to a 600 Nail found for the south corner of said un-filed access easement;

THENCE N 58°00'02" E, 77.69 feet along the northwest line of this tract to the POINT OF BEGINNING and containing approximately 93,593.81 square feet of land equating to approximately 2.148 acres of land.



Owner/Developer:
TILSON HOME CORPORATION
411 Durham Drive
Houston, TX 77007
Phone: 713-724-5795

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That We, TILSON HOME CORPORATION, do hereby adopt this plat designating the herein above described property as a FINAL PLAT of LOT 1, BLOCK A, of TILSON HOME ADDITION, on addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, maintaining, repairing, and adding to or removing all or parts of their respective systems without their liability at any time procuring permission from anyone.

This plat approved subject to all existing ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas.

WITNESS, my hand, this 7 day of August, 2018.

By: [Signature] Secretary Made (Notary Public) Tilton Homes Corporation

STATE OF TEXAS
COUNTY OF ELLIS

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Richard Webb, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this 7 day of August, 2018.

By: [Signature] Notary Public in and for the State of Texas Notary ID 128873138

My Commission Expires On: [Date]

CITY OF WAXAHACHIE, TEXAS FINAL PLAT APPROVAL

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: [Signature] Chairperson Date

APPROVED BY: City Council City of Waxahachie

By: [Signature] Mayor Date

Attest: [Signature] Date

FINAL PLAT
TILSON HOME ADDITION
PHASE 1
Lot 1, Block A
situated in the John Fifer Survey, Abst. 351
in the City of Waxahachie,
Ellis County, Texas
(1 Commercial Lot)

ELLIS ASSOCIATES
SURVEYORS
212 North College Tel: 972-937-7474
Waxahachie, Texas 75165
IBPLS License No. 15067100

Date: 8/7/2018
Scale: 1" = 60'
Drawn: DWH
Job: 18193

- LEGEND
- Property Corner Symbol
 - Found
 - S.R.
 - S.P.
 - Utility Easement
 - Utility Pipe
 - Utility Pole
 - Right of Way
 - Point of Beginning
 - Centerline
 - Drainage Flow
 - Spot Elevations
 - Building Line
 - Water Line
 - Water Meter
 - Drain Manhole
 - Cleanout
 - Fire Hydrant
 - Water Valve
 - Drainage & Utility Easement
 - Telephone Pole
- LEGEND
- Wire Fence
 - Wood Fence
 - Iron Fence
 - Chain Link Fence
 - Railroad Tracks
 - Gas Line
 - Water Line
 - Petroleum Pipeline
 - Electric Line
 - Sanitary Sewer Line
 - Water Line
 - Underground Telephone
 - Telephone

SURVEYOR'S DECLARATION
I declare that the plat and field notes hereon are the representation of an actual and accurate survey made on the ground in July of 2018, and that corner monuments were found or set under my personal supervision. There are no visible encroachments, protrusions or easements, unless shown hereon. The bearings recited in parenthesis hereon are based on the record plat of subject subdivision. According to the Federal Emergency Management Agency, Flood Insurance Rate Map Number 48139CD190 F, dated June 3, 2013, for Ellis County, Texas, and Incorporated Areas, this tract is not within a special flood hazard area inundated by 100-year flood. This survey is for the benefit of Richard Webb, representing Tilton Home Corporation.

Stuart G. Hamilton
Registered Professional Land Surveyor
Number 4480

Date: 8/7/2018

Planning & Zoning Department

Zoning Staff Report

Case: SU-18-0130



MEETING DATE(S)

Planning & Zoning Commission: August 28, 2018

City Council: September 4, 2018

CAPTION

Public Hearing on a request by Ann Sayegh for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 S.F.** use within a Rural Residential zoning district, located at 3360 FM 877, 5 & 6 LINDMARK ESTS 4.072 ACRES (Property ID 231002) - Owner: SAYEGH WILLIAM & ANN (SU-18-0130)

CASE INFORMATION

Applicant: Ann Sayegh

Property Owner(s): William & Ann Sayegh

Site Acreage: 4.072 acres

Current Zoning: Rural Residential (RR)

Requested Zoning: RR w/ Specific Use Permit for Accessory Building < 700 SF

SUBJECT PROPERTY

General Location: 3360 FM 877

Parcel ID Number(s): 231002

Existing Use: Single-family residence

Development History: Lindmark Estates, Revised, final plat was approved by City Council on April 4, 2005.

Adjoining Zoning & Uses:

Direction	Zoning	Current Use
North	RR	Single family residence
East	PD-SF1	Single family residence
South	RR	Single family residence
West	RR	Single family residence

Future Land Use Plan: Estate Residential

Comprehensive Plan:

This use is representative of traditional, single-family detached dwellings on large lots that are over one acre in size. This type of land is envisioned to primarily be located in the southern portion of the City and in the ETJ area south and west of Waxahachie.

Thoroughfare Plan:

The site is accessed via Howard Rd, a Secondary Thoroughfare C (90' ROW).



Site Image:

PLANNING ANALYSIS

The applicant seeks to erect a metal horse barn of 1,260 sf on the site. The metal barn is permitted with an SUP because barns on properties that are two (2) or more acres are exempt from the masonry construction requirements provided said barns are used for agricultural purposes *see Section 5.10 (b)(v)1*.

PUBLIC NOTIFICATIONS

To comply with State law contained in Local Government Code Chapter 211 and the City's public hearing notice requirements, 13 notices were mailed to property owners within 200 feet of the request. In addition, a notice was published in the Waxahachie Daily Light and a sign was visibly posted at the property on 8/10/18.

STAFF CONCERNS

1. The old barn needs to be removed.

APPLICANT RESPONSE TO CONCERNS

1. Applicant met with staff and submitted a revised site plan. The above concern is something the applicant intends to do.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☒ Approval, as presented.
- ☐ Approval, per the following comments:

ATTACHED EXHIBITS

1. Site plan
2. Stallion Buildings packet detailing the barn

APPLICANT REQUIREMENTS

1. If approved by City Council, applicant can apply for building permits from the Building and Community Services Department.

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner

kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

CASE SU-18-0130

SUPPORT **4**

OPPOSE **0**

Request by Ann Sayegh for a Specific Use Permit (SUP) for **Accessory Building (Residential), Greater than or Equal to 700 S.F.** use within a Rural Residential zoning district, located at 3360 FM 877, 5 & 6 LINDMARK ESTS 4.072 ACRES (Property ID 231002) - Owner: SAYEGH WILLIAM & ANN (SU-18-0130)

SUPPORT

1. Dan Walser, 3359 Howard Road, Waxahachie, TX 75165
 - a. "The proposed building is on their land and fits the rural setting. We strongly support their right to use their property as they see fit!"
2. Jack Phelps, 3363 Howard Road, Waxahachie, TX 75165
3. Rita Reyes, 120 Lakeshore, Waxahachie, TX 75165
4. Kristy Pennock, 3349 Howard Road, Waxahachie, TX 75165



RECEIVED
8/21/18

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SU-18-0130**



WALSER DAN & LORI
3359 FM 877
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 28, 2018 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on **Tuesday**, September 4, 2018 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Ann Sayegh for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 S.F. use within a Rural Residential zoning district, located at 3360 FM 877, 5 & 6 LINDMARK ESTS 4.072 ACRES (Property ID 231002) - Owner: SAYEGH WILLIAM & ANN (SU-18-0130)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: planningandzoning@waxahachie.com for additional information on this request.

Case Number: **SU-18-0130**



SUPPORT

OPPOSE

Comments: *The proposed building is on their land and fits the rural setting. We strongly support their right to use their property as they see fit!*

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, AUGUST 22, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

Dan E Walsen
Signature

08/16/2018
Date

Dan Walsen
Printed Name and Title

3359 Howard Road
Address
Waxahachie, Tx 75165



RECEIVED
8/21/18

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SU-18-0130**



PHELPS JACK
3363 FM 877
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 28, 2018 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on **Tuesday**, September 4, 2018 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

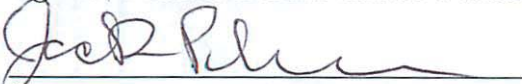
Request by Ann Sayegh for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 S.F. use within a Rural Residential zoning district, located at 3360 FM 877, 5 & 6 LINDMARK ESTS 4.072 ACRES (Property ID 231002) - Owner: SAYEGH WILLIAM & ANN (SU-18-0130)

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Case Number: **SU-18-0130** ☒ SUPPORT ☐ OPPOSE

Comments: _____

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, AUGUST 22, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.


Signature

8/15/18
Date

Jack Phelps - homeowner
Printed Name and Title

3363 Howard Rd.
Wax 75165
Address



RECEIVED
8/21/18

City of Waxahachie, Texas
Notice of Public Hearing
Case Number: **SU-18-0130**



REYES TOMAS & RITA
120 LAKESHORE DR
WAXAHACHIE, TX 75165

The Waxahachie Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 28, 2018 at 7:00 p.m. and the Waxahachie City Council will hold a Public Hearing on **Tuesday**, September 4, 2018 at 7:00 p.m. in the Council Chamber at the Waxahachie City Hall, 401 South Rogers Street, Waxahachie, Texas to consider the following:

Request by Ann Sayegh for a Specific Use Permit (SUP) for Accessory Building (Residential), Greater than or Equal to 700 S.F. use within a Rural Residential zoning district, located at 3360 FM 877, 5 & 6 LINDMARK ESTS 4.072 ACRES (Property ID 231002) - Owner: SAYEGH WILLIAM & ANN (SU-18-0130)

You received this notice because your property is within the area of notification as required by law. As an interested party you are welcome to make your views known by attending the hearings. If you cannot attend the hearings, you may express your views by filling in and returning the bottom portion of this notice. Please contact the Planning Department at (469) 309-4290 or via email: planningandzoning@waxahachie.com for additional information on this request.


Case Number: **SU-18-0130**

☒ SUPPORT


☐ OPPOSE

Comments: _____

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, AUGUST 22, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.


Signature


Printed Name and Title


Date


Address

request.

Case Number: **SU-18-0130**

☒ SUPPORT

☐ OPPOSE

RECEIVED
8/22/18

Comments: _____

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, AUGUST 22, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

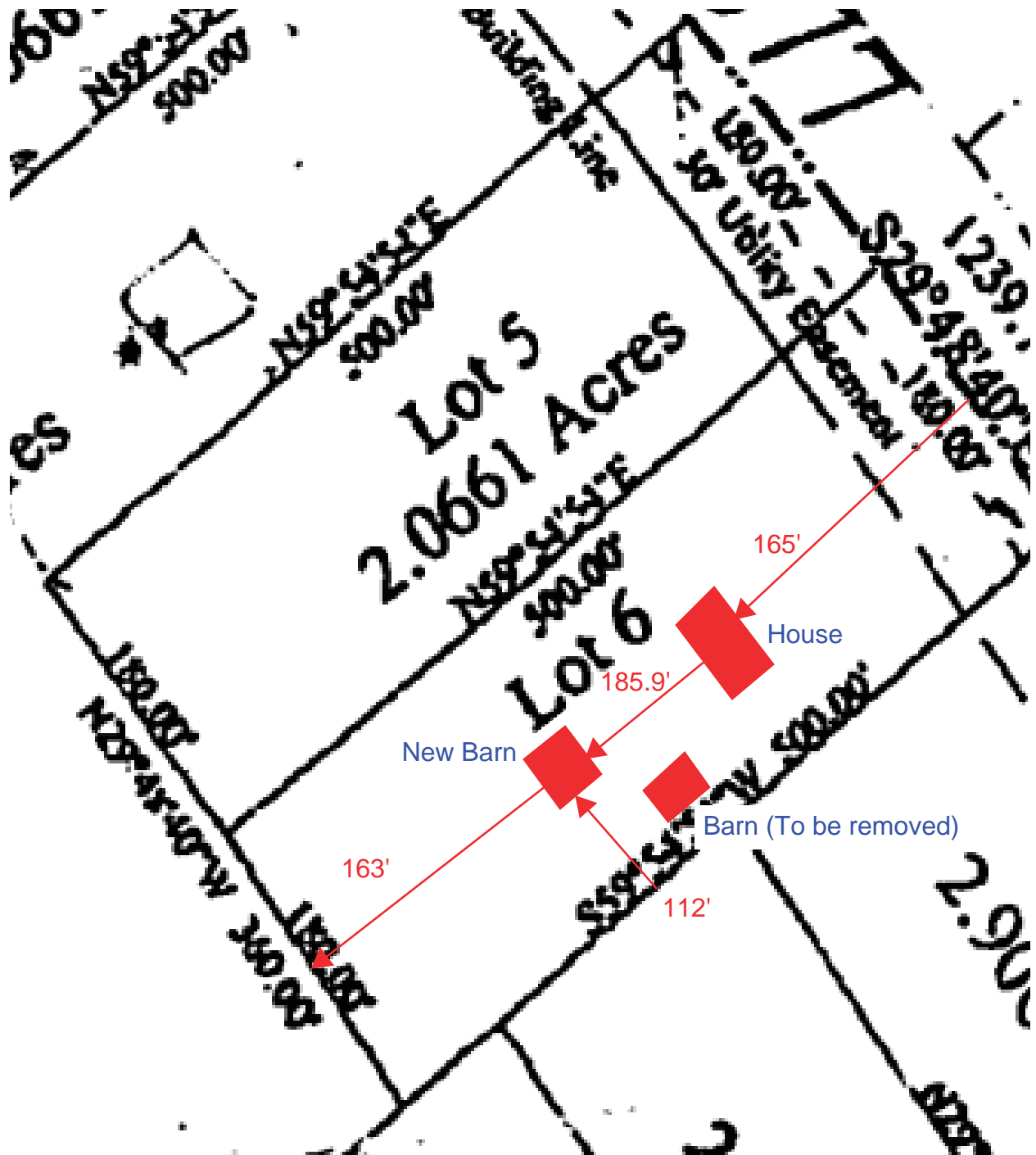
Kristy Pennock
Signature

8/22/18
Date

Kristy Pennock
Printed Name and Title

3349 Howard Rd
Address
75165

It is a crime to knowingly submit a false zoning reply form. (Texas Penal Code 37.10)



STA004016



Cash Sale For Custom Carports

Date: 07/20/2018

Sales Person: Gary Scott

Sales Location: Waxahachie

Customer First Name: ANN

Middle Name:

Last Name: SAYEGH

Primary Phone: (469) 831-5721

Secondary Phone: (469) 831-6051

Mailing Address: 3360 FM 877

City: WAXAHACHIE

State: Texas

Zip: 75165

Physical Address: 3360 FM 877

City: WAXAHACHIE

State: Texas

Zip: 75165

☐ Physical Address is same as Mailing. Email: ANN_SAYEGH@YAHOO.COM

Serial No: STA0718SC1193		CASH	
Rental Return: <input type="radio"/> Yes <input checked="" type="radio"/> No		Tax: 8.25%	\$884.28
Unit Style: HORSEBARN	Price	Delivery:	\$0.00
Unit Size: 36 x 35 x 12	\$10771.00	Total:	\$11602.78
Upgrades (from Carport Spec Sheet):	\$1947.50	Down Pmt:	\$5801.39
Total all lines above here:	\$12718.50	Balance:	\$5801.39
Delivery	\$0.00	<input type="checkbox"/> Cash:	\$0.00
DISCOUNT	-2000.00	<input checked="" type="checkbox"/> Check	327
Subtotal	\$10718.50		\$5801.39
Reference Number: STA004016		<input type="checkbox"/> CC	\$0.00

Customer will be responsible to anchor to WOOD, ROCK or ASPHALT. No Warranty on WOOD, ROCK or ASPHALT. NOT ALL STRUCTURES MEET CODES - ENGINEERED PLANS AVAILABLE AT AN ADDITIONAL COST.

Terms and Conditions

INSTALLATION: All prices are for installation on your level ground or pad site. If site is not level, unit will be installed "AS IS" with no warranty. Frame is 1ft shorter than roof length on all carports except workshop style carports.

Anchors are available at an additional cost and must be installed to receive warranty or if an RTO purchase. Carports with 8' legs or taller will require additional work from the customer for bracing and securing the unit.

Customer MUST contact 811 before the installation date and notify the main office of any underground cables, gas lines or utility lines by calling 817-764-1123. We are not responsible for any damage. Customer is responsible to obtain all permits and be aware of any restrictions. Permits should be obtained at least 1 week before installation. Any costs associated with permitting restrictions or HOA requirements will be the sole responsibility of the customer.

Standard Free Installation includes installation up to 50 miles from a manned sales location. Sales outside of the 50 mile radius will require management approval & additional mileage charge.

If we are unable to install due to customer problems or changes, including but not limited to a non-level site, a 5% re-stocking fee will be charged.

CANCELLATION POLICY: You have the right to cancel and receive a full refund within 72 hours from time of order. After that time, 10% is NON REFUNDABLE, including for any revisions and may not be applied to other purchases.

CASH SALE: 50% minimum down payment required on cash sales. The rest will be due upon delivery and must be paid to the installation crew.

RENT TO OWN SALE: First months payment along with a 15% security deposit (\$300.00 minimum security deposit) due as a down payment on Rent to Own sales. A minimum of 4 screw-in anchors is required on RTO sales.

PRICING AND UPGRADES: All pricing and upgrades must be approved by the corporate office to be binding. This order is considered to be a QUOTE until approved by the corporate office.

I have read, understand and accept the above information and give approval for the purchase and installation of the above along with terms:

[Signature]

7-20-18

Customer Signature

Date:



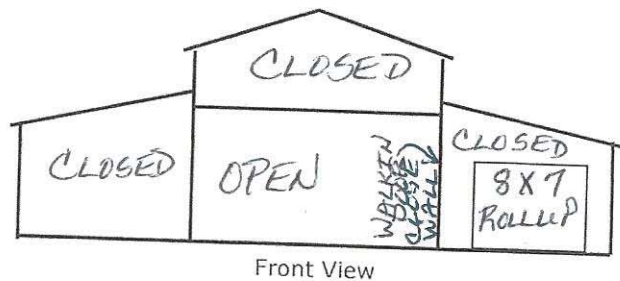
Base Price \$10,771

Metal Colors		Roof: <u>BARN RED</u>
Trim: <u>PURE WHITE</u>	Gable(s): <u>BARN RED</u>	
Side(s): <u>BARN RED</u>	End(s): <u>BARN RED</u>	
Options		Price
Leg Height: <u>12'</u> Middle/8' Lean to's		0.00
Doors & Windows		Price
<input type="checkbox"/> 30x30 Window	Qty:	
<input checked="" type="checkbox"/> 36x80 Vinyl Door	Qty: <u>1</u>	<u>275</u>
<input type="checkbox"/> 36x80 9 lite Vinyl Door	Qty:	
<input type="checkbox"/> 36x80 9 Metal Door	Qty:	
<input checked="" type="checkbox"/> <u>8</u> x <u>7</u> Roll up door	Qty: <u>2</u>	<u>960</u>
<input type="checkbox"/> <u> </u> x <u> </u> Roll up door	Qty:	
Other Custom Options		Price
<input type="checkbox"/> Headers:	Qty:	
<input type="checkbox"/> Framed Opening:	Qty:	
<input type="checkbox"/> Sidewall Framed Opening:	Qty:	
<input type="checkbox"/> Anchors:	Qty:	
<input type="checkbox"/> Closing 8x7 Right lean to opening		
<input type="checkbox"/> Closing Front Middle Section End		
<input type="checkbox"/> Closing Back Middle Section End		
Wainscoting: <input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical		
Wainscoting Color: <u>INSIDE</u>		
<u>CLOSE WALL 35' L X 12' TALL</u>		<u>712.50</u>
Total for Upgrades:		<u>\$12718.50</u>

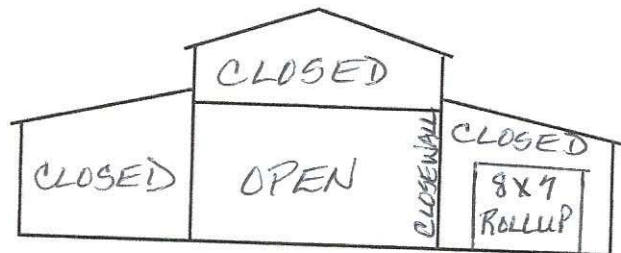
Carport Sketch: Barn Style

Customer Name: ANN SAYEGH
 Serial Number: STA0718SC1193
 Type of ground: CONCRETE SLAB
 Electricity Available: Yes: ☐ No: ☒
 Horizontal Roof: ☒ Vertical Roof: ☐

Unit Size: 36 x 35

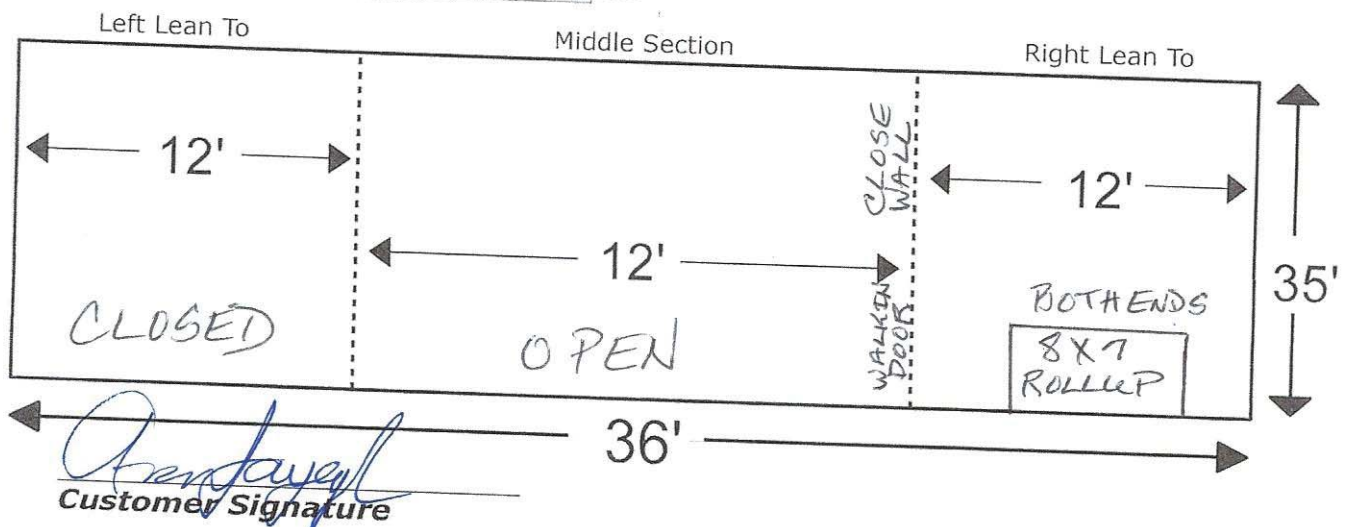


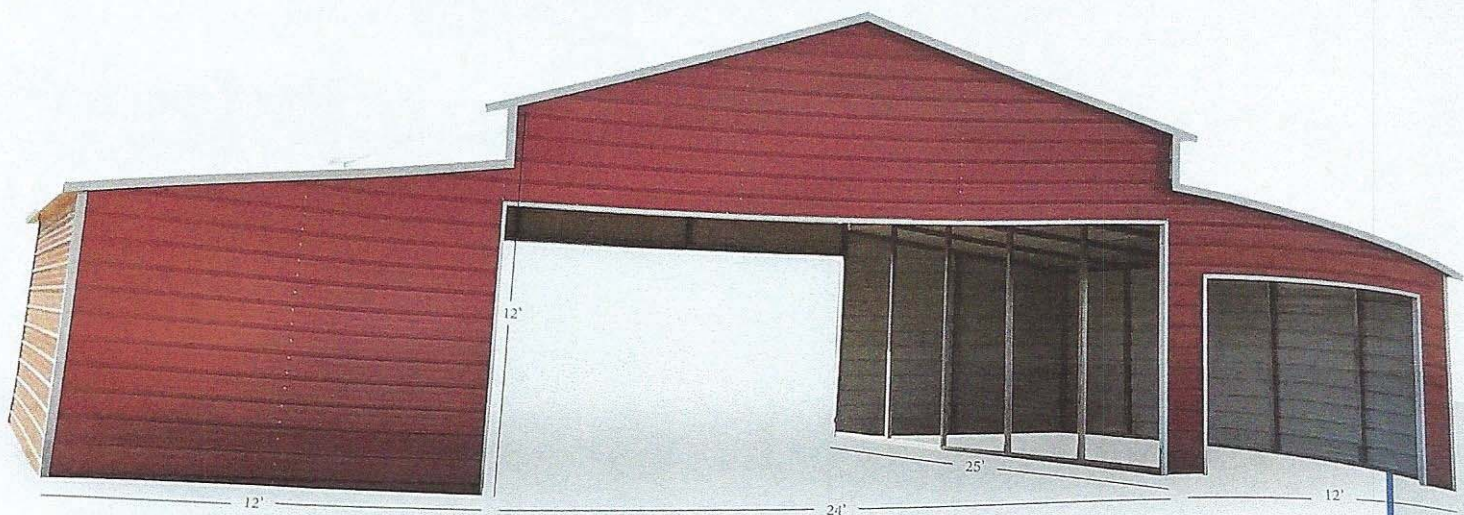
Front View



Back View

Please specify on sketch where customer would like upgrades added





SIZE SHOWN:
48' x 25'

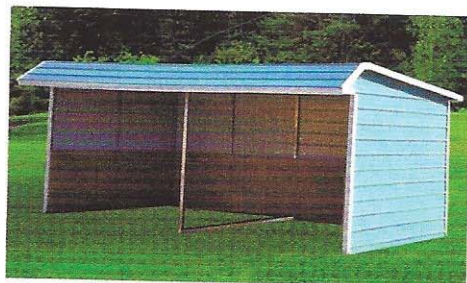
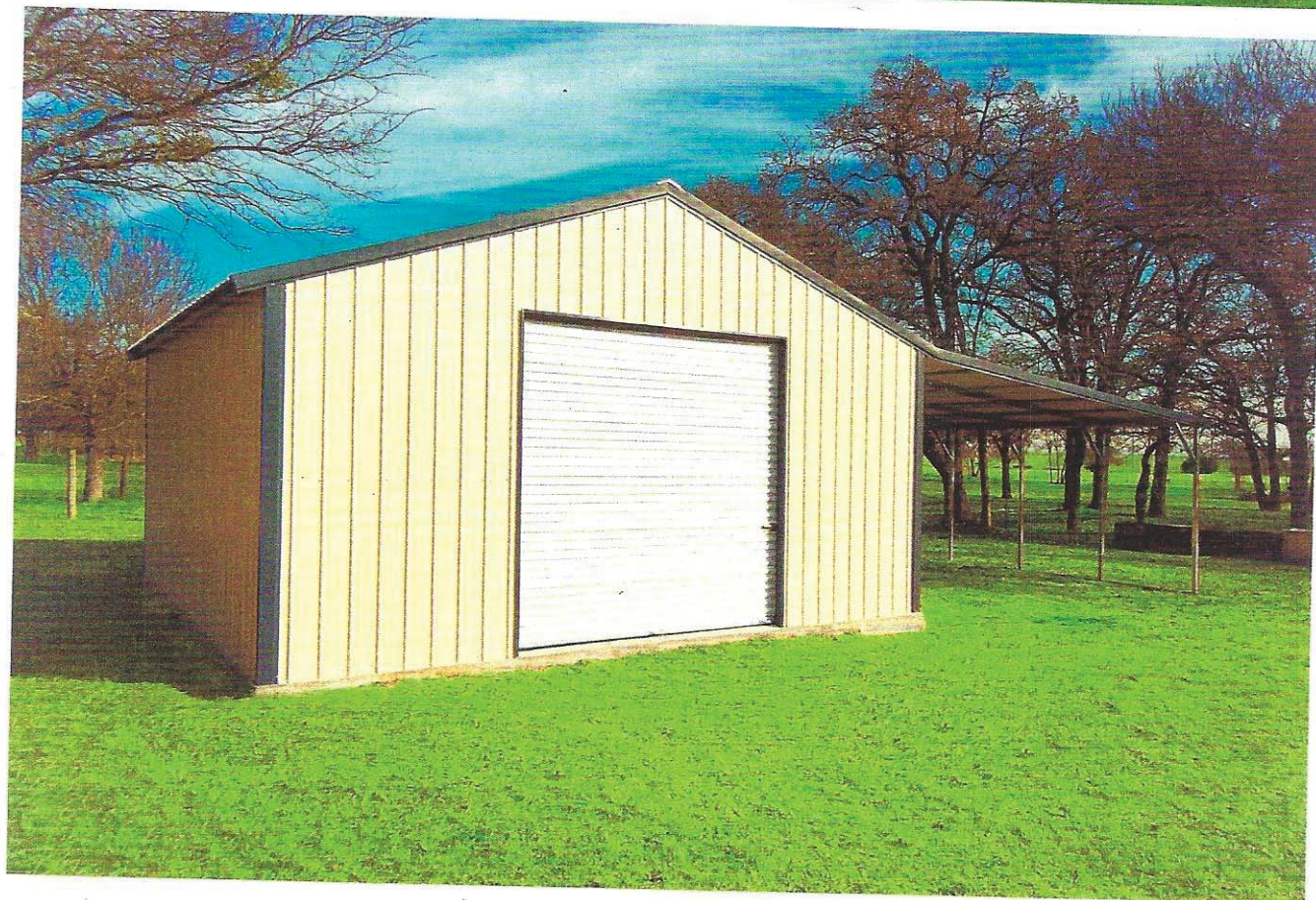
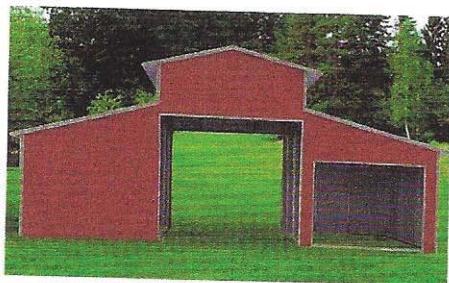
BOTH SIDES CLOSED
9' HIGH OPEN MIDDLE
CLOSED GABLE ENDS
3 LEAN-TO ENDS ENCLOSED
8' X 7' OPENING ON RIGHT LEAN-TO FRONT
30'-34' WIDE: LEAN-TO'S ARE 10' WIDE

36'+ WIDE: LEAN-TO'S ARE 12' WIDE
REMAINING DISTANCE IN MIDDLE
CENTER LEGS 12'
OUTSIDE LEGS 8'

FEATURES



STALLION BUILDINGS





STALLION
BUILDINGS

THE BETTER VALUE

STALLION BUILDINGS	OTHER COMPANIES
80 KSI (80,000 pounds per square inch), "Grade E" steel panels	33 KSI (33,000 pounds per square inch), "Grade C" steel
High end of decimal range on 29 gauge of thickness (as much as 40% difference)	Come standard with only mid to low range
Workmanship: guaranteed for one year	90 days
Steel panels: guaranteed for 40 years for film integrity and 30 years against fading, peeling, and flaking	10 or 20-year; some have 30-year; some have none
Panels: guaranteed 25 years against rust-through perforation	some have 20-year, others have none

OUR STEEL IS THE NEAREST THING TO ETERNAL LIFE YOU'LL EVER SEE ON THIS EARTH!



WHY ARE WE IN BUSINESS?

- Simply put: our customers!
- To offer the best in service, quality and price!
- To be more than just a "carport company".
- To take pride in what we do and produce.
- To provide competitive installer pay so we attract and retain the best.

We are a local, Texas company, manufacturing, operating, and selling exclusively in Texas.



Buy Quality. Buy Workmanship. Buy for Life.



CONCRETE SLAB EXAMPLE

-
- 2
11-A
- MAX. 20'-0"
- CONTROL JOINTS SPACED AT
MAX. 20'-0" O.C.
- 1
11-A
- MAX. 20'-0"
- CONCRETE SLAB FOUNDATION

SCALE: NTS

SCALE: NTS

SCALE: NTS

EXPIRES 09/30/2018
SIGNED 07/02/2018

Planning & Zoning Department

Plat Staff Report

Case: FP-18-0124



MEETING DATE(S)

Planning & Zoning Commission: August 28, 2018

City Council: September 4, 2018

CAPTION

Consider request by Bryan Connally, CBG Surveying, LLC, for a **Final Plat** of Rodriguez-King Addition for 2 lots, being 2.00 acres situated in the Silas M. Durrett Survey, Abstract 272 (Property ID 182038) – Owner: CFLP INVESTMENTS LLC (FP-18-0124)

CASE INFORMATION

Applicant: Bryan Connally, CBG Surveying LLC

Property Owner(s): CFLP Investments LLC

Site Acreage: 2.00 acres

Number of Lots: 2 lots

Number of Dwelling Units: 2 units

Park Land Dedication: The cash in lieu of park land dedication for this case is estimated at **\$800.00** (2 residential dwellings at \$400.00 per dwelling).

Adequate Public Facilities: This development will be on City services.

SUBJECT PROPERTY

General Location: 1406 MLK

Parcel ID Number(s): 182038

Current Zoning: Light Industrial-1 and Single Family-3

Existing Use: Single family residence

Platting History: Silas M. Durrett Survey, Abstract 272

Site Aerial:



STAFF CONCERNS

1. This development fronts onto TxDOT right-of-way. Before building a residence on Lot 1, access to this lot will be determined by TxDOT. Because of the spacing, a variance from TxDOT is needed. This is not an issue at platting, but staff want to ensure all know this.

APPLICANT RESPONSE TO CONCERNS

1. Applicant has addressed all applicable comments. The above concern is a notification.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☒ Approval, as presented.
- ☐ Approval, per the following comments:

ATTACHED EXHIBITS

1. Plat drawing

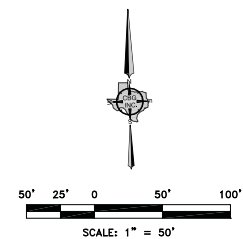
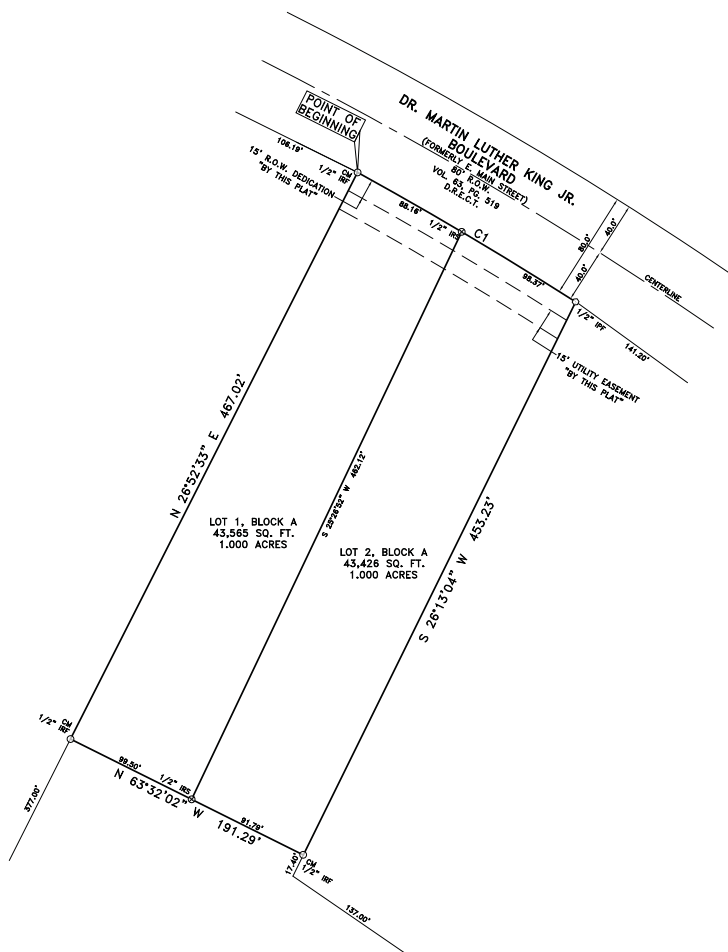
APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

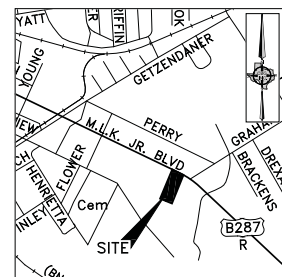
STAFF CONTACT INFORMATION

Prepared by:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com



LEGEND
D.R.E.C.T. = DEED RECORDS, ELLIS COUNTY, TEXAS
CM = CONTROLLING MONUMENT
R.O.W. = RIGHT-OF-WAY
SQ. FT. = SQUARE FEET
ESMT. = EASEMENT
VOL. = VOLUME
PG. = PAGE
1/2" IRF = 1/2 INCH IRON ROD FOUND
1/2 IPF = 1/2 INCH IRON PIPE FOUND
1/2 IRS = 1/2 INCH IRON ROD SET WITH A PLASTIC YELLOW CAP STAMPED "CBG SURVEYING"



VICINITY MAP
1" = 1000'

CURVATURE	LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	1186.53	2836.89	17°46'02"	S 59°17'46" E	1186.50

GENERAL NOTES

1) THE BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, (4202) GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS.

2) BENCHMARKS:
STATION=D0710221
N=6,855,055.53681
E=2,479,546.72456
Z=621.64498
STATION=D0710251
N=6,809,399.94981
E=2,475,876.23114
Z=598.73830

3) ACCORDING TO THE F.I.R.M. NO. 48139C0190F, THIS PROPERTY DOES LIE IN ZONE X AND DOES NOT LIE WITHIN THE 100 YEAR FLOOD ZONE.

4) THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

5) THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.

6) PURPOSE OF THIS PLAT IS TO CREATE ONE LOT INTO TWO LOTS.

OWNER: CFLP INVESTMENTS, LLC
PEDRO RODRIGUEZ
1080 PIERCE ROAD
RED OAK-TEXAS-75154
(214) 778-9458
PERDOOGOLDTEAM@YAHOO.COM



SCALE: 1"=50' / DATE: 05/29/18 / JOB NO. 1705845-1PLAT / DRAWN BY: CC

SHEET 1 OF 2
FINAL PLAT
RODRIGUEZ-KING ADDITION
LOTS 1 & 2, BLOCK A
86,991 SQ.FT. / 2.00 ACRES
AND BEING A TRACT OF LAND SITUATED IN THE
SILAS M. DURRETT SURVEY, ABSTRACT NO. 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Pedro Rodriguez acting herein by and through its duly authorized officers, does hereby adopt this plat designating the herein above described property as RODRIGUEZ-KING ADDITION, an addition to the City of Waxahachie, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for street purposes. The Easements and public use areas, as shown, are dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the Easements as shown, except that landscape improvements may be placed in Landscape Easements, if approved by the City of Waxahachie. In addition, Utility Easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the Public's and City of Waxahachie's use thereof. The City of Waxahachie and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said Easements. The City of Waxahachie and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Waxahachie, Texas

WITNESS, my hand, this the _____ day of _____, 2018.

BY:

Authorized Signature of Owner

Printed Name and Title

STATE OF TEXAS §
COUNTY OF ELLIS §

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Pedro Rodriguez, Owner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this _____ day of _____, 2000.

Notary Public In and for the State of Texas

My Commission Expires On:

SURVEYOR'S STATEMENT:

KNOW ALL MEN BY THESE PRESENTS:

That I, Bryan Connally, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the Subdivision Ordinance of the City of Waxahachie.

(seal)

Bryan Connally
Registered Professional Land Surveyor

STATE OF TEXAS §
COUNTY OF ELLIS §

WHEREAS, CFLP Investments, LLC., a Texas Limited Liability Company is the Owner of a tract of land situated in the Silas M. Durrett Survey, Abstract No. 272, Ellis County, Texas, same being a tract of land conveyed to CFLP Investments, LLC., a Texas Limited Liability Company, by Warranty Deed with Vendor's Lien, recorded in instrument No. 1717367, Deed Records, Ellis County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner, said corner being the East corner of a tract of land conveyed to Ronnie D. Davis Sr., by deed recorded in Volume 2819, Page 691, Deed Records of Ellis County, Texas, and being in the Southwest right-of-way of Dr. Martin Luther King Boulevard (80 foot right-of-way), also being the beginning of a non-tangent curve turning to the right, with a radius of 2836.89 feet, a delta angle of 03 degrees 46 minutes 02 seconds, a chord bearing of South 59 degrees 17 minutes 45 seconds East, and a chord length of 186.50 feet;

THENCE along said curve to the right, along the Southwest right-of-way line of said Dr. Martin Luther King Boulevard, an arc length of 186.53 feet to a 1/2 inch iron pipe found for corner, said corner being the North corner of a tract of land conveyed to Vincent G. Jackson, by deed recorded in Volume 1982, Page 286, Deed Records, Ellis County, Texas, also being in the Southwest right-of-way line of said Dr. Martin Luther King Boulevard;

THENCE South 26 degrees 13 minutes 04 seconds West, along the Northwest line of said Jackson tract, a distance of 453.23 feet to a 1/2 inch iron rod found for corner, said corner being the most northerly Northeast corner of a tract of land conveyed to Waxahachie Independent School District, City of Waxahachie & Waxahachie Water, by deed recorded in Volume 2578, Page 978, Deed Records, Ellis County, Texas;

THENCE North 63 degrees 32 minutes 02 seconds West, along the most Northerly Northeast line of said Waxahachie Independent School District tract, a distance of 191.29 feet to a 1/2 inch iron rod found for corner, said corner being the Northwest corner of said Waxahachie Independent School District tract, and being in the Southeast line of said Davis tract;

THENCE North 26 degrees 52 minutes 33 seconds East, along the Southeast line of said Davis tract, a distance of 467.02 feet to the POINT OF BEGINNING and containing 86,991 square feet or 2.00 acres of land.

APPROVED BY: Planning and Zoning Commission City of Waxahachie

By: _____

Chairperson

Date

APPROVED BY: City Council
City of Waxahachie

By: _____

Mayor

Date

By: _____

Attest

Date

GENERAL NOTES

1) THE BASIS OF BEARING FOR THIS SURVEY IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, (4202) GEODETIC BEARING ESTABLISHED BY GPS MEASUREMENTS.

2) BENCHMARKS:

STATION=D0710221
N=6,855,055.53681
E=2,479,546.72456
Z=621.64498

STATION=D0710251
N=6,809,399.94981
E=2,475,876.23114
Z=598.73830

3) ACCORDING TO THE F.I.R.M. NO. 48139C0190F, THIS PROPERTY DOES LIE IN ZONE X AND DOES NOT LIE WITHIN THE 100 YEAR FLOOD ZONE.

4) THE SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

6) THE SURVEYOR, AS REQUIRED BY STATE LAW, IS RESPONSIBLE FOR SURVEYING INFORMATION ONLY AND BEARS NO RESPONSIBILITY FOR THE ACCURACY OF THE ENGINEERING DATA ON THIS PLAT.

SHEET 2 OF 2

FINAL PLAT
RODRIGUEZ-KING ADDITION
LOTS 1A & 2A, BLOCK 1
86,991 SQ.FT. / 2.00 ACRES
PART OF HARRIETT L. NOWLIN SUBDIVISION
AND BEING A TRACT OF LAND SITUATED IN THE
SILAS M. DURRETT SURVEY, ABSTRACT NO. 272
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

OWNER: CFLP INVESTMENTS, LLC
PEDRO RODRIGUEZ
1080 PIERCE ROAD
RED OAK TEXAS-75154
(214) 778-9458
PERD00LDTEAM@YAHOO.COM



PLANNING & SURVEYING
Main Office
12025 Shiloh Road, Ste. 230
Dallas, TX 75228
P 214.349.9485
F 214.349.9216
Firm No. 10168800
www.chgincts.com

SCALE: 1"=50' / DATE: 05/29/18 / JOB NO. 1705845-1PLAT / DRAWN BY: CC

Planning & Zoning Department

Plat Staff Report

Case: RP-18-0127



MEETING DATE(S)

Planning & Zoning Commission: August 28, 2018

City Council: September 4, 2018

CAPTION

Consider request by Dustin Jordan for a **Replat** of Tract 9A, Whispering Meadows Addition, to create Lots 1 through 4, Boyce Farms, 4.997 acres (Property ID 210307) in the Extra Territorial Jurisdiction – Owner: A GARRETT REAL ESTATE VENTURES LLC & KDJ INVESTMENTS LLC (RP-18-0084)

CASE INFORMATION

Applicant: KDJ Investments LLC

Property Owner(s): A Garrett Real Estate Ventures LLC and KJD Investments LLC

Site Acreage: 4.997 acres

Number of Lots: 4 lots

Number of Dwelling Units: 4 units

Adequate Public Facilities: Rockett Special Utility District has indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution, however, they cannot meet the ISO fire flow requirements. A variance from the Ellis County Commissioners' Court was obtained at their July 17, 2018, meeting. However, this development, due to the lack of fire protection, does not comply with the Subdivision Ordinance, Section 5.8.e.

SUBJECT PROPERTY

General Location: NE corner of Old Boyce Road and Wilson Road

Parcel ID Number(s): 210307

Current Zoning: N/A (ETJ)

Existing Use: Currently developed

Platting History: Whispering Meadows was platted November 14, 1988.

Site Aerial:



STAFF CONCERNS

1. Fire protection is not available at this site. Council must provide approval without adequate fire flow.

APPLICANT RESPONSE TO CONCERNS

1. Applicant submitted revisions.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☐ Approval, as presented.
- ☐ Approval, per the following comments:
- ☒ Additional consideration may be required.

ATTACHED EXHIBITS

1. Plat drawings

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

STAFF CONTACT INFORMATION

Prepared by:
Kelly Dent, MPA
Planner
kdent@waxahachie.com

Reviewed by:
Shon Brooks, AICP
Director of Planning
sbrooks@waxahachie.com

CASE RP-18-0127

SUPPORT 0

OPPOSE 1

Request by KDJ Investments LLC for a **Replat** of Tract 9A, Whispering Meadows Addition, to create Block A, Lots 1 through 4, Boyce Farms Addition, 4.997 acres (Property ID 210307) in the Extra Territorial Jurisdiction – Owner: A GARRETT REAL ESTATE VENTURES LLC & KDJ INVESTMENTS LLC (RP-18-0127)

OPPOSE

1. Regina Scott, 1540 Boyce Road, Waxahachie, TX 75165

Case Number: **RP-18-0127**

☐ SUPPORT

☒ OPPOSE

Comments: _____

RECEIVED
8/22/18

Your response to this notification is **OPTIONAL**. If you choose to respond, please return this form by 5:00 P.M. on **WEDNESDAY, AUGUST 22, 2018** to ensure inclusion in the Agenda Packet. Forms can be e-mailed to planningandzoning@waxahachie.com.

Regina Scott

Signature

8-20-18

Date

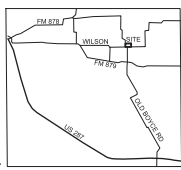
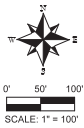
REGINA SCOTT

Printed Name and Title

1540 Boyce RD

Address

WAXAHACHIE, TX



NOTES:

BEARING BASIS FOR THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83, PER GPS OBSERVATIONS.

THE SUBJECT PROPERTY LIES WITHIN ZONE "C", DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" ACCORDING TO THE THE FLOOD INSURANCE RATE MAP NO. 48130C0226F, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ALL LOTS SHALL BE SERVICED BY AN ON-SITE SEWAGE FACILITY SYSTEM FOR RESIDENTIAL USE. AN ON-SITE EVALUATION SHALL BE PERFORMED BY A REGISTERED ENGINEER AND/OR A REGISTERED SANITARIAN.

LEGEND

CRS-SR IRON ROD WITH YELLOW PLASTIC CAP STAMPED "TXRCS" SET

IRF-IRON ROD FOUND

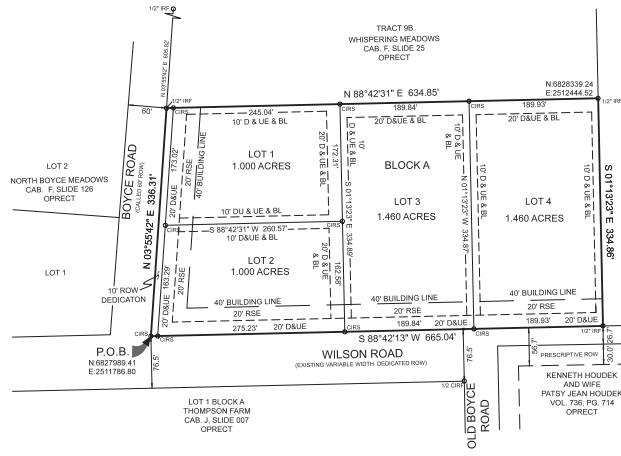
FND-FOUND

OPRECT- OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS

D & UE = DRAINAGE AND UTILITY EASEMENT

RSE = ROCKETT SUO EASEMENT - DEDICATED BY THIS PLAT

BL = BUILDING LINE



STATE OF TEXAS, COUNTY OF ELLIS, KNOW ALL MEN BY THESE PRESENTS:

THAT WE, A GARRETT REAL ESTATE VENTURES, LLC, AND KDJ INVESTMENTS, LLC, ARE THE SOLE OWNERS OF A TRACT OF LAND SITUATED IN THE F.M. WOODARD SURVEY, ABSTRACT NO. 1120, ELLIS COUNTY, TEXAS, AND BEING ALL OF TRACT 9A, OF A REPLAT OF LOT 9, WHISPERING MEADOWS ADDITION, AN ADDITION TO ELLIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF, RECORDED IN CABINET F, SLIDE 25, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO A GARRETT REAL ESTATE VENTURES LLC AND KDJ INVESTMENTS LLC, RECORDED IN INSTRUMENT NUMBER 1805785 (OPRECT), AND BEING MORE PARTICULARLY DESCRIBED, AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "TXRCS" SET FOR THE INTERSECTION OF THE NORTH RIGHT-OF-WAY ROW LINE OF WILSON ROAD (A VARIABLE WIDTH PRESCRIPTIVE AND DEDICATED ROW) AND THE EAST ROW LINE OF BOYCE ROAD (A CALLED 60 ROW), AND THE SOUTHWEST CORNER OF SAID TRACT 9A;

THENCE N 03°59'42" E, ALONG THE WEST LINE OF SAID TRACT 9A AND THE COMMON EAST ROW LINE OF SAID BOYCE ROAD, A DISTANCE OF 336.31 FEET A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID TRACT 9A AND THE COMMON SOUTHWEST CORNER OF TRACT 9B OF SAID REPLAT, FROM WHICH A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF TRACT 9C AND THE COMMON SOUTHWEST CORNER OF TRACT 9D OF SAID REPLAT, BEARS N 03°59'42" E A DISTANCE OF 600.82 FEET;

THENCE N 88°42'31" E, ALONG THE NORTH LINE OF SAID TRACT 9A AND THE COMMON SOUTH LINE OF SAID TRACT 9B, A DISTANCE OF 634.85 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID TRACT 9A AND THE COMMON SOUTHEAST CORNER OF SAID TRACT 9B, IN THE WEST LINE OF TRACT 9 OF WHISPERING MEADOWS ADDITION, RECORDED IN CABINET C, SLIDE 218, OPRECT;

THENCE S 01°13'23" E, ALONG THE EAST LINE OF SAID TRACT 9A AND THE COMMON WEST LINE OF SAID TRACT 8, A DISTANCE OF 334.86 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID TRACT 9A AND THE COMMON SOUTHWEST CORNER OF SAID TRACT 8, IN THE NORTH ROW LINE OF SAID WILSON ROAD, FROM WHICH A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID TRACT 8 BEARS N 88°44'54" E A DISTANCE OF 664.74 FEET;

THENCE S 88°42'13" W, ALONG THE SOUTH LINE OF SAID TRACT 9A AND THE COMMON NORTH ROW LINE OF SAID WILSON ROAD, A DISTANCE OF 965.04 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.997 ACRES OF LAND, MORE OR LESS.

STATE OF TEXAS, COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED TIMOTHY L. JACKSON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2018.

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

I, TIMOTHY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

"Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document"

TIMOTHY L. JACKSON
REGISTRATION NUMBER 5644

REPLAT

BOYCE FARMS ADDITION

BLOCK A, LOTS 1-4

BEING A REPLAT OF TRACT 9A
WHISPERING MEADOWS ADDITION
CABINET F, SLIDE 25
PRECT
4.997 ACRES
4 RESIDENTIAL LOTS

SITUATED IN THE
F.M. WOODARD SURVEY
ABSTRACT NO 1120
ETJ OF THE CITY OF WAXAHACHIE,
TEXAS
ELLIS COUNTY, TEXAS

MAY 2018

OWNER: KDJ INVESTMENTS LLC 1007 FERRIS AVENUE WAXAHACHIE, TX 75105 469.517.0012	OWNER: A GARRETT REAL ESTATE VENTURES LLC 1007 FERRIS AVENUE WAXAHACHIE, TX 75105 469.517.0012	SURVEYOR: TEXAS REALITY CAPTURE & SURVEYING, LLC P.O. BOX 252 WAXAHACHIE, TEXAS 75168 469.518.0338 TSPLS FIRM NO 10194559 JOB NO 1057
---	---	--

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHE, TEXAS.

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2018.

BY:

ANDREW GARRETT
A GARRETT REAL ESTATE VENTURES, LLC

STATE OF TEXAS :
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED ANDREW GARRETT, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2018.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

BY:

DUSTIN JORDAN
KDJ INVESTMENTS, LLC

STATE OF TEXAS :
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED DUSTIN JORDAN, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, THE _____ DAY OF _____, 2018.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY: CHAIRPERSON _____ DATE _____

APPROVED BY: CITY COUNCIL
CITY OF WAXAHACHE

BY: MAYOR _____ DATE _____

ATTEST _____ DATE _____

STATE OF TEXAS:
COUNTY OF ELLIS:

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS COUNTY TEXAS:

APPROVED THIS, THE _____ DAY OF _____, 2018.

ATTEST:

CAROL BUSH
COUNTY JUDGE

CINDY POLLEY
COUNTY CLERK

RANDY STINSON
COMMISSIONER PRECINCT 1

LANE GRAYSON
COMMISSIONER PRECINCT 2

PAUL PERRY
COMMISSIONER PRECINCT 3

KYLE BUTLER
COMMISSIONER PRECINCT 4

THIS PLAT HAS BEEN APPROVED BY THE DEPARTMENT OF DEVELOPMENT FOR AN ON-SITE SEWAGE FACILITY SYSTEM PENDING ANY AND ALL INFORMATION AS MAY BE REQUIRED BY THE ELLIS COUNTY DEPARTMENT OF DEVELOPMENT.

DEPARTMENT OF DEVELOPMENT DIRECTOR _____ DATE _____

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT A. GARRETT REAL ESTATE VENTURES, LLC, AND KDJ INVESTMENTS, LLC, ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS REPLAT BOYCE FARMS ADDITION, AN ADDITION TO ELLIS COUNTY TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO ELLIS COUNTY AND THE CITY OF WAXAHACHE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON. THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY ELLIS COUNTY AND THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES. SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLICS AND CITY OF WAXAHACHE'S USE THEREOF. ELLIS COUNTY AND THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. ELLIS COUNTY AND THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

OWNER:
KDJ INVESTMENTS LLC
1007 FERRIS AVENUE
WAXAHACHE, TX 75165
469.517.0012

OWNER:
A GARRETT REAL ESTATE
VENTURES LLC
1007 FERRIS AVENUE
WAXAHACHE, TX 75165
469.517.0012

SURVEYOR:
TEXAS REALITY CAPTURE &
SURVEYING, LLC
P.O. BOX 262
WAXAHACHE, TEXAS 75168
469.518.0338
TBPLS FIRM NO 10104359
JOB NO 1057

F.M. WOODARD SURVEY
ABSTRACT NO. 1120
ET.J OF THE CITY OF WAXAHACHE,
TEXAS
ELLIS COUNTY, TEXAS

REPLAT
**BOYCE FARMS ADDITION
BLOCK A, LOTS 1-4**

BEING A REPLAT OF TRACT 8A,
WHISPERING MEADOWS ADDITION
CABINET F, SLIDE 25

PRECT
4.997 ACRES

4 RESIDENTIAL LOTS

SITUATED IN THE

4.997 ACRES
ABSTRACT NO. 1120
ET.J OF THE CITY OF WAXAHACHE,
TEXAS
ELLIS COUNTY, TEXAS

MAY 2018 PAGE 2 OF 2

Planning & Zoning Department

Plat Staff Report

Case: PP-18-0122



MEETING DATE(S)

Planning & Zoning Commission: August 28, 2018

City Council: September 4, 2018

CAPTION

Consider request by Shaun Whitaker, for a **Preliminary Plat** of Abele/Whitaker Estates for 1 lot, being 4.999 acres situated in the C. White Survey, Abstract 1109 (Property ID 250610) in the Extra Territorial Jurisdiction – Owner: ABELE PATTY (PP-18-0122)

CASE INFORMATION

Applicant: Shaun Whitaker

Property Owner(s): Patty Abele

Site Acreage: 4.999 acres

Number of Lots: 1

Number of Dwelling Units: 1 units

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: Nash-Forreston initially indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements. They have since clarified that they cannot meet ISO fire flow requirements. Had they initially indicated their inability to meet fire flow requirements, this application would have been deemed incomplete.

SUBJECT PROPERTY

General Location: 5100 FM 877

Parcel ID Number(s): 250610

Current Zoning: N/A (ETJ)

Existing Use: Currently undeveloped

Platting History: C. White Survey, Abstract 1109

Site Aerial:



STAFF CONCERNS

1. Nash-Forreston has corrected their initial submittal to clarify that they cannot meet ISO fire flow requirements. Had they initially indicated this, the application and its companion case would have been deemed incomplete. The applicant has requested a variance through the Ellis County Commissioners' Court for the requirement to provide fire protection. At this point, the City is not aware of the outcome of that petition. However, this development, due to the lack of fire protection, does not comply with the Subdivision Ordinance, Section 5.8.e.
2. Formatting issues remain outstanding with this submittal:
 - a. Remainder of how much?
 - b. The deed only references Patty. Please remove Shaun's information from the plat or confirm his inclusion on the plat.

APPLICANT RESPONSE TO CONCERNS

1. Applicant, owner, and surveyor attended a meeting with City staff and Ellis County staff. An appeal to the Commissioners' Court has been made. No resubmittal has been received.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☐ Approval, as presented.
- ☐ Approval, per the following comments:
- ☒ Additional consideration may be required.

ATTACHED EXHIBITS

1. Plat drawing

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner

kdent@waxahachie.com

Reviewed by:

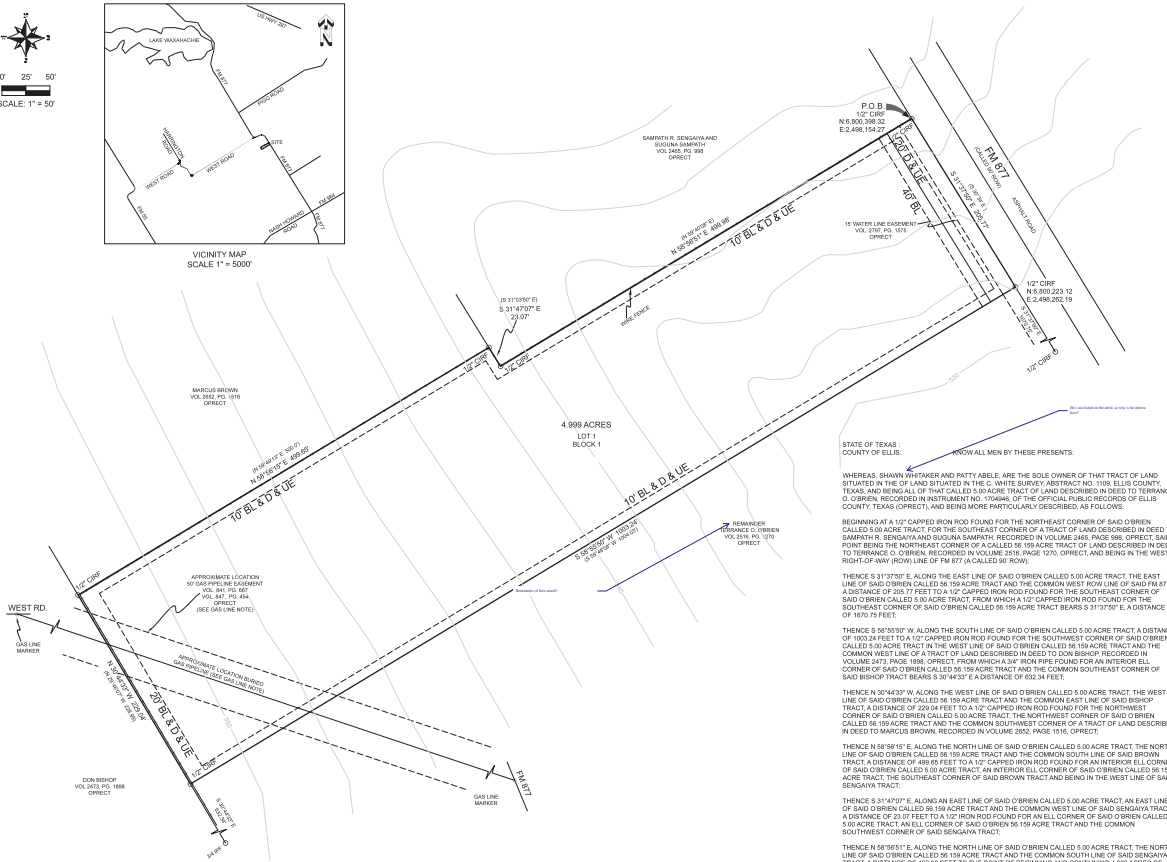
Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com



VICINITY MAP
SCALE 1" = 5000'



NOTES

BEARING BASIS FOR THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4302. HAD SURVEY OBSERVATIONS.

THE SUBJECT PROPERTY LIES WITHIN ZONE "C" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48136C0001, DATED JUNE 3, 2013, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ALL LOTS SHALL BE SERVED BY AN ON-SITE SEWAGE FACILITY SYSTEM FOR RESIDENTIAL USE. AN ON-SITE EVALUATOR SHALL BE PERFORMED BY A REGISTERED ENGINEER AND/OR A REGISTERED SANITARIAN.

LEGEND

CRS = 5/8 IRON ROD WITH YELLOW PLASTIC CAP STAMPED "XCRS" SET

FM = FOUND

IRP = IRON ROD FOUND

ORP = OFFICIAL PUBLIC RECORDS ELLIS COUNTY TEXAS

D & UE = DRAINAGE AND UTILITY EASEMENT

BL = BUILDING LINE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, TIMOTHY L. JACKSON, R.P.S., DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS SET WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF WAXAHACHE.

Preliminary, this document shall not be recorded for any purpose and shall not be used in a court of law as a final survey document.

TIMOTHY L. JACKSON
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 544

CITY APPROVAL OF PRELIMINARY PLAT

APPROVED FOR PREPARATION OF THE FINAL PLAT

APPROVED BY THE PLANNING AND ZONING COMMISSION

DATE

APPROVED BY CITY COUNCIL

DATE

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, SHAWN WHITAKER AND PATTY ABLE, ARE THE SOLE OWNER OF THAT TRACT OF LAND SITUATED IN THE OF LAND SITUATED IN THE C. WHITE SURVEY, ABSTRACT NO. 1109, ELLIS COUNTY, TEXAS, AND BEING ALL OF THAT CALLED 5.00 ACRE TRACT OF LAND DESCRIBED IN DEED TO O'BRIEN, RECORDED IN INSTRUMENT NO. 175646, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS, (O'BRIEN), AND BEING MORE PARTICULARLY DESCRIBED, AS FOLLOWS:

BEGINNING AT A 12" CAPPED IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, FOR THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO SAMPATH R. SENGATYA AND SUDJANA SAMPATH, RECORDED IN VOLUME 248, PAGE 988, O'BRIEN, SAID POINT BEING THE NORTHEAST CORNER OF A CALLED 56.159 ACRE TRACT OF LAND DESCRIBED IN DEED TO TERRANCE O. O'BRIEN, RECORDED IN VOLUME 2518, PAGE 1270, O'BRIEN, AND BEING IN THE WEST RIGHT-OF-WAY (ROW) LINE OF FM 877 (CALLED BY ROW).

THENCE S 31°37'50" E, ALONG THE EAST LINE OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, THE EAST LINE OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON WEST ROW LINE OF SAID FM 877, A DISTANCE OF 268.77 FEET TO A 12" CAPPED IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, FROM WHICH A 12" CAPPED IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID O'BRIEN CALLED 56.159 ACRE TRACT BEARS S 31°37'50" E, A DISTANCE OF 1670.75 FEET;

THENCE S 89°55'50" W, ALONG THE SOUTH LINE OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, A DISTANCE OF 1003.24 FEET TO A 12" CAPPED IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, IN THE WEST LINE OF SAID O'BRIEN CALLED 56.159 ACRE TRACT, AND THE COMMON WEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO DON BISHOP, RECORDED IN VOLUME 271, PAGE 188, O'BRIEN, FROM WHICH A 5/8" IRON PIPE FOUND FOR AN INTERIOR ELL CORNER OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON SOUTHWEST CORNER OF SAID BISHOP TRACT BEARS S 30°42'30" E, A DISTANCE OF 602.34 FEET;

THENCE N 30°42'30" W, ALONG THE WEST LINE OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, THE WEST LINE OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON EAST LINE OF SAID BISHOP TRACT, A DISTANCE OF 233.34 FEET TO A 12" CAPPED IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, THE NORTHWEST CORNER OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON SOUTHWEST CORNER OF SAID BROWN TRACT, A DISTANCE OF 489.85 FEET TO A 12" CAPPED IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, AN INTERIOR ELL CORNER OF SAID O'BRIEN CALLED 56.159 ACRE TRACT, THE SOUTHEAST CORNER OF SAID BROWN TRACT AND BEING IN THE WEST LINE OF SAID SENGATYA TRACT;

THENCE S 31°47'07" E, ALONG AN EAST LINE OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, AN EAST LINE OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON WEST LINE OF SAID SENGATYA TRACT, A DISTANCE OF 23.07 FEET TO A 12" IRON ROD FOUND FOR AN ELL CORNER OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, AN ELL CORNER OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON SOUTHWEST CORNER OF SAID SENGATYA TRACT;

THENCE N 89°55'51" E, ALONG THE NORTH LINE OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, THE NORTH LINE OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON SOUTH LINE OF SAID SENGATYA TRACT, A DISTANCE OF 489.88 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.999 ACRES OF LAND, MORE OR LESS.

PRELIMINARY PLAT
ABLE / WHITAKER
ESTATES

OWNER
PATTY ABLE
1801 HAWK HOLLOW DRIVE
WILCOX, MO. 63011
314.560.1514

SURVEYOR
TEXAS REALTY CAPTURE &
SURVEYING, L.L.C.
P.O. BOX 252
WAXAHACHE, TEXAS 75168
936.819.0358
TSPS 19PM NO 1034589

4.999 ACRES
4.99999999
C. WHITE SURVEY
ABSTRACT NO 1109
CITY OF WAXAHACHE,
ELLIS COUNTY, TEXAS

JOB NO. 1102

JULY 2018

PAGE 1 OF 1

Planning & Zoning Department

Plat Staff Report

Case: FP-18-0123



MEETING DATE(S)

Planning & Zoning Commission: August 28, 2018

City Council: September 4, 2018

CAPTION

Consider request by Shaun Whitaker, for a **Final Plat** of Abele/Whitaker Estates for 1 lot, being 4.999 acres situated in the C. White Survey, Abstract 1109 (Property ID 250610) in the Extra Territorial Jurisdiction
Owner: ABELE PATTY (FP-18-0123)

CASE INFORMATION

Applicant: Shaun Whitaker

Property Owner(s): Patty Abele

Site Acreage: 4.999 acres

Number of Lots: 1

Number of Dwelling Units: 1 units

Park Land Dedication: N/A (ETJ)

Adequate Public Facilities: Nash-Forreston initially indicated that their existing system can furnish the requested service in conformity with the Texas Commission on Environmental Quality standards for water distribution and the ISO fire flow requirements. They have since clarified that they cannot meet ISO fire flow requirements. Had they initially indicated their inability to meet fire flow requirements, this application would have been deemed incomplete.

SUBJECT PROPERTY

General Location: 5100 FM 877

Parcel ID Number(s): 250610

Current Zoning: N/A (ETJ)

Existing Use: Currently undeveloped

Platting History: C. White Survey, Abstract 1109

Site Aerial:



STAFF CONCERNS

1. Nash-Forreston has corrected their initial submittal to clarify that they cannot meet ISO fire flow requirements. Had they initially indicated this, the application and its companion case would have been deemed incomplete. The applicant has requested a variance through the Ellis County Commissioners' Court for the requirement to provide fire protection. At this point, the City is not aware of the outcome of that petition. However, this development, due to the lack of fire protection, does not comply with the Subdivision Ordinance, Section 5.8.e.
2. Applicant seeks to re-route the proposed thoroughfare. At this point, staff has not received a drawing detailing the proposed relocation of this thoroughfare.
3. Formatting issues remain outstanding with this submittal:
 - a. What's the remaining acreage?
 - b. The deed only references Patty. Please remove Shaun's information from the plat or confirm his inclusion on the plat.
 - c. Where's the nearest fire hydrant? Confirm to staff that there is one within 500 feet of this property.

APPLICANT RESPONSE TO CONCERNS

1. Applicant, owner, and surveyor attended a meeting with City staff and Ellis County staff. An appeal to the Commissioners' Court has been made. No resubmittal has been received.

RECOMMENDATION

Based on the details provided in this Staff Report and the present status of the documents subject to the request, the Planning and Zoning Department recommends:

- ☐ Denial
- ☐ Approval, as presented.
- ☐ Approval, per the following comments:
- ☒ Additional consideration may be required.

ATTACHED EXHIBITS

1. Plat drawing

APPLICANT REQUIREMENTS

1. If approved by City Council, within 30 days the applicant shall provide the Planning Department one revised electronic plan set that incorporates all comments.
2. Once the revised plans are provided, staff will verify all outstanding comments were satisfied.
 - a. If comments were not satisfied, then applicant will be notified to make corrections.
 - b. If all comments satisfied, applicant shall provide five signed, hard-copy plats.

STAFF CONTACT INFORMATION

Prepared by:

Kelly Dent, MPA

Planner

kdent@waxahachie.com

Reviewed by:

Shon Brooks, AICP

Director of Planning

sbrooks@waxahachie.com

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT PATTY ABLE, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS ABLE / WHITAKER ESTATES, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO ELLIS COUNTY AND THE CITY OF WAXAHACHE, TEXAS FOR THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON, THE STREETS AND ALLEYS ARE DEDICATED FOR STREET PURPOSES, THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED, FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY ELLIS COUNTY AND THE CITY OF WAXAHACHE. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF WAXAHACHE'S USE THEREOF. ELLIS COUNTY AND THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS, ELLIS COUNTY AND THE CITY OF WAXAHACHE AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME PROCURING PERMISSION FROM ANYONE.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF WAXAHACHE, TEXAS.

GIVEN UNDER MY HAND AND SEAL THIS, _____ DAY OF _____, 2018.

BY:

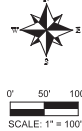
PATTY ABLE

STATE OF TEXAS -
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED PATTY ABLE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, _____ DAY OF _____, 2018.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS



I, TIMOTHY L. JACKSON, RPLS, HEREBY CERTIFY THAT THIS PLAT WAS MADE ON THE GROUND, UNDER MY DIRECT SUPERVISION, ON THE DATE SHOWN, AND THAT ALL PROPERTY CORNERS HEREON HAVE BEEN FOUND OR SET AS SHOWN.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document".

TIMOTHY L JACKSON
REGISTRATION NUMBER 5644

STATE OF TEXAS :
COUNTY OF ELLIS:

BEFORE ME THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED TIMOTHY L. JACKSON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSE HEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL THIS, _____ DAY OF _____, 2018.

NOTARY PUBLIC, IN AND FOR THE
STATE OF TEXAS

STATE OF TEXAS:
COUNTY OF ELLIS:

CERTIFICATE OF APPROVAL BY THE COMMISSIONERS COURT OF ELLIS COUNTY TEXAS.

APPROVED THIS, _____ DAY OF _____, 2018.

CAROL BUSH
COUNTY JUDGE

ATTEST:

JINDY POLLEY
COUNTY CLERK

THIS PLAT HAS BEEN APPROVED BY THE DEPARTMENT OF DEVELOPMENT FOR AN ON-SITE SEWAGE FACILITY SYSTEM PERING ANY AND ALL INFORMATION AS MAY BE REQUIRED BY THE ELLIS COUNTY DEPARTMENT OF DEVELOPMENT.

ELLIS COUNTY DEPARTMENT
OF DEVELOPMENT DIRECTOR

DATED:

NOTES:

BEARING BASIS FOR THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD 83, PER GPS OBSERVATIONS

THE SUBJECT PROPERTY LIES WITHIN ZONE "X" - DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48136C0302F, DATED JUNE 3, 2015, AS PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

ALL LOTS SHALL BE SERVICED BY AN ON-SITE SEWAGE FACILITY SYSTEM FOR RESIDENTIAL USE. AN ON-SITE EVALUATION SHALL BE PERFORMED BY A REGISTERED ENGINEER AND/OR A REGISTERED SANITARIAN.

LEGEND

CIR3=3/8 IRON ROD WITH YELLOW PLASTIC CAP
STAMPED "THICK" 8ET

IRP= IRON ROD FOUND

FND=FOUND

OPRECT= OFFICIAL PUBLIC RECORDS ELLIS COUNTY
TEXAS

D L LIE - DRAINAGE AND UTILITY EASEMENT

RSE = ROCKETT SUD EASEMENT

BL = BUILDING LINE

APPROVED BY: PLANNING AND ZONING COMMISSION CITY OF WAXAHACHE

BY: CHAIRPERSON DATE

APPROVED BY: CITY COUNCIL
CITY OF WAXAHACHE

BY: MAYOR DATE

ATTEST DATE

STATE OF TEXAS :
COUNTY OF ELLIS:

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, SHAMU WHITAKER AND PATTY ABLE, ARE THE SOLE OWNER OF THAT TRACT OF LAND SITUATED IN THE LAND SITUATED IN THE C. WHITE SURVEY, ABSTRACT NO. 1109, ELLIS COUNTY, TEXAS, AND BEING ALL OF THAT CALLED 5.00 ACRE TRACT OF LAND DESCRIBED IN DEED TO TERRANCE O. O'BRIEN, RECORDED IN INSTRUMENT NO. 170464, OF THE OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS (OPRECT), AND BEING MORE PARTICULARLY DESCRIBED, AS FOLLOWS:

BEGINNING AT A 1/2" CAPPED IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID O'BRIEN CALLED 5.00 ACRE TRACT; FOR THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO SAMPATH R. SENGANYA AND SUGUNA SAMPATH, RECORDED IN VOLUME 2465, PAGE 888, OPRECT; SAID POINT BEING THE NORTHEAST CORNER OF A CALLED 56.159 ACRE TRACT OF LAND DESCRIBED IN DEED TO TERRANCE O. O'BRIEN, RECORDED IN VOLUME 2516, PAGE 1270, OPRECT, AND BEING IN THE WEST RIGHT-OF-WAY (ROW) LINE OF FM 877 (A CALLED 90' ROW);

THENCE S 31°37'50" E. ALONG THE EAST LINE OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, THE EAST LINE OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON WEST ROW LINE OF SAID FM 877, A DISTANCE OF 205.77 FEET TO A 1/2" CAPPED IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, FROM WHICH A 1/2" CAPPED IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID O'BRIEN CALLED 56.159 ACRE TRACT BEARS S 31°37'50" E. A DISTANCE OF 1070.75 FEET.

THENCE S 89°59'50" W. ALONG THE SOUTH LINE OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, A DISTANCE OF 1003.24 FEET TO A 1/2" CAPPED IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID O'BRIEN CALLED 5.00 ACRE TRACT IN THE WEST LINE OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON WEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO DON BISHOP, RECORDED IN VOLUME 2470, PAGE 1986, OPRECT, FROM WHICH A 3/4" IRON PIPE FOUND FOR AN INTERIOR ELL CORNER OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON SOUTHWEST CORNER OF SAID BISHOP TRACT BEARS S 30°44'33" E. A DISTANCE OF 632.34 FEET;

THENCE N 30°44'33" W. ALONG THE WEST LINE OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, THE WEST LINE OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON EAST LINE OF SAID BISHOP TRACT, A DISTANCE OF 230.04 FEET TO A 1/2" CAPPED IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, AN INTERIOR ELL CORNER OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO MARCUS BROWN, RECORDED IN VOLUME 2652, PAGE 1516, OPRECT;

THENCE N 89°59'51" E. ALONG THE NORTH LINE OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, THE NORTH LINE OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON SOUTH LINE OF SAID BROWN TRACT, A DISTANCE OF 499.86 FEET TO A 1/2" CAPPED IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, AN INTERIOR ELL CORNER OF SAID O'BRIEN CALLED 56.159 ACRE TRACT, THE SOUTHWEST CORNER OF SAID BROWN TRACT AND BEING IN THE WEST LINE OF SAID SENGANYA TRACT;

THENCE S 31°47'07" E. ALONG AN EAST LINE OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, AN EAST LINE OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON WEST LINE OF SAID SENGANYA TRACT, A DISTANCE OF 23.07 FEET TO A 1/2" IRON ROD FOUND FOR AN ELL CORNER OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, AN ELL CORNER OF SAID O'BRIEN 56.159 ACRE TRACT AND THE COMMON SOUTHWEST CORNER OF SAID SENGANYA TRACT;

THENCE N 89°59'51" E. ALONG THE NORTH LINE OF SAID O'BRIEN CALLED 5.00 ACRE TRACT, THE NORTH LINE OF SAID O'BRIEN CALLED 56.159 ACRE TRACT AND THE COMMON SOUTH LINE OF SAID SENGANYA TRACT, A DISTANCE OF 499.86 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.999 ACRES OF LAND, MORE OR LESS.

FINAL PLAT
ABELE / WHITAKER
ESTATES
4.999 ACRES
1 RESIDENTIAL LOT

RELATES IN THE
C. WHITE SURVEY
ABSTRACT NO. 1109
ETJ OF THE CITY OF WAXAHACHE,
ELLIS COUNTY, TEXAS

OWNER:
PATTY ABLE
1800 TIMBER HOLLOW DRIVE
WILLOWOOD, MO 63011
314.540.1514

SURVEYOR:
TEXAS REALTY CAPTURE &
SURVEYING, LLC
P.O. BOX 252
WAXAHACHE, TEXAS 75168
409.516.0338
TBPLS FIRM NO. 10154259
208 NO. 1102

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