



Memorandum

April 14, 2016

TO: Planning and Zoning Commission
Julie Couch, Town Manager

FROM: Israel Roberts, AICP
Planning Manager

**SUBJECT: PUBLIC HEARING ON A REPLAT FOR THE OAKWOOD ESTATES
ADDITION, PHASE 3 (CASE #RP2016-01)**

BACKGROUND: This is a request for approval of a replat of Lot 1, Block A of the Oakwood Estates Addition, Phase III into two (2) lots. The 2.002-acre site is located at 870 St. James Road; at the southeast corner of Hart Road and St. James Road, and is zoned for the (RE-1) One-acre Ranch Estate District.

STATUS OF ISSUE: The purpose of the replat is to create one (1) additional lot in order to construct a new home on proposed Lot 1R-B.

The proposed replat conforms with all Town zoning and subdivision regulations. In accordance with State Law, the plat approval is a “ministerial,” meaning if the submitted plat conforms with established zoning and subdivision regulations, the plat is required to be approved.

Vehicle Access and Right-of-Way Requirements

Each proposed lot has direct access to St. James Road. No additional right-of-way dedication is required.

Utilities, Drainage, and Environmental Concerns

The applicant currently has an existing home on the property and is connected to public water utility and utilizes an on-site sanitary sewer system. The proposed new development lot will also be required to an on-site sanitary sewer system.

Parks, Open Space and Trails

Consistent with the Town's parkland dedication ordinance, the town is permitted to require the developer to dedicate a total of 0.029-acres (1,303 square feet) of parkland as a result of the provision of one (1) new residential lot being created with this development. Cash-in-lieu of parkland dedication for this proposed development will be required prior to filing with the county.

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the proposed replat.

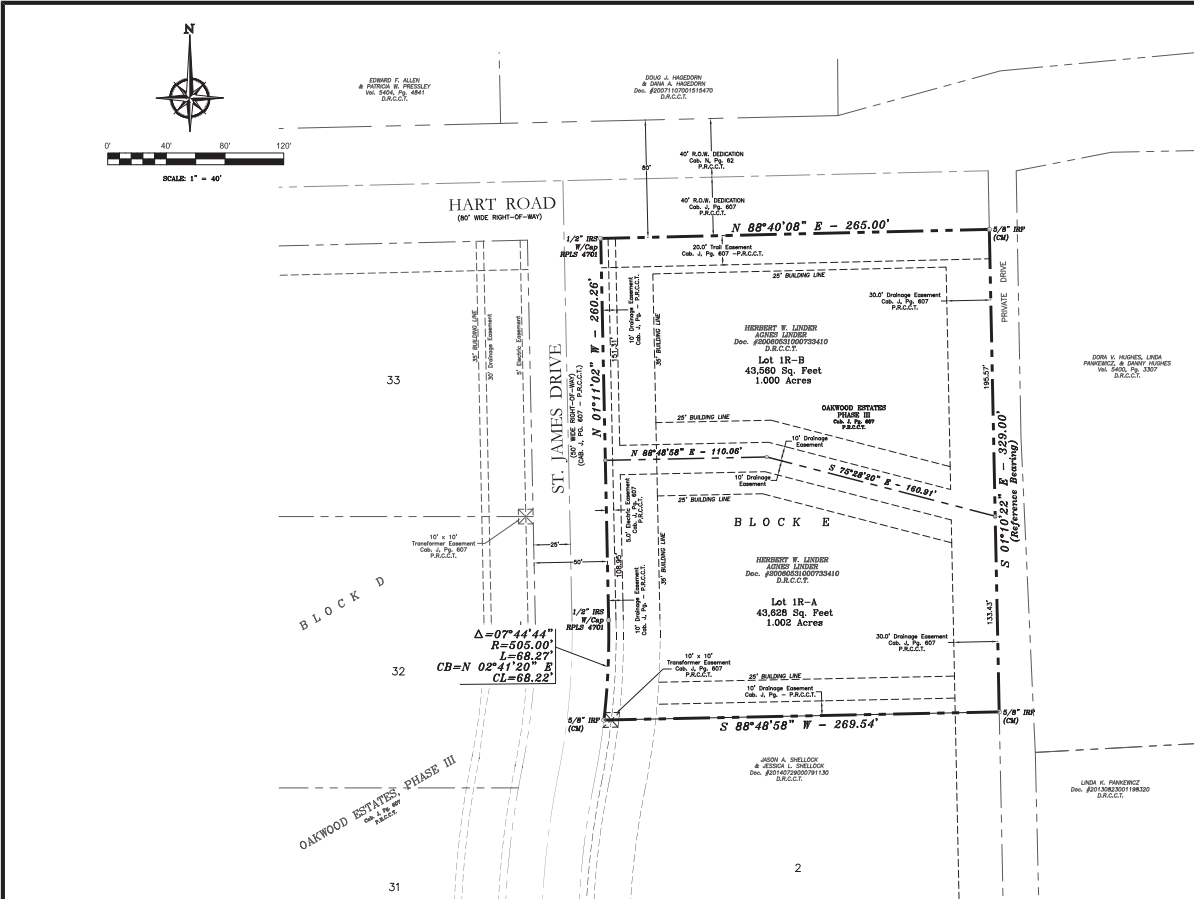
BUDGET: N/A

ATTACHMENTS:

- Locator
- Proposed replat



**Lot 1, Block E
Oakwood Estates, Phase 3**



OWNERS CERTIFICATE

STATE OF TEXAS)
COUNTY OF COLLIN)

SITUATED in the Town of Fairview, in the Samuel Sloan Survey Survey, Abstract No. 791 of Collin County, Texas and being all of Lot 1, Block E of OAKWOOD ESTATES, PHASE III, in addition to the above described Plat thereof, recorded in Cabinet J, Page 607, Plat Records, Collin County, Texas (P.R.C.C.T.) and also being that same parcel of land described in a deed to Herbert W. Linder and Agnes Linder, recorded in Document No. 20060531000733410, Deed Records, Collin County, Texas (D.R.C.C.T.) and said Lot being more particularly described by metes & bounds as follows:

BEGINNING at a 5/8 inch iron rod found on the south right-of-way line of Hart Road (80 wide right-of-way) for the northeast corner of said Lot 1, Block E and same being the northwest of that certain tract of land owned by The Dora V. Hughes Trust;

THENCE South 01 deg. 10 min. 22 sec. East (Reference Bearing), along the common line of said Lot 1, Block E and Hughes, tract, a distance of 329.00 feet to a 5/8 inch iron rod found for the southeast corner of said Lot 1 and same being the northeast corner of Lot 2, Block E;

THENCE South 88 deg. 48 min. 58 sec. West, along the common line of said Lot 1 and Lot 2, Block E, a distance of 289.54 feet to a 289.54 feet to a 5/8 inch iron rod found on the east right-of-way of St. James Drive (50 wide R.O.W.) for the southwest corner of said Lot 1 and same being the Northwest corner of said Lot 2, Block E and said point being in a non-tangent curve to the left, having a radius of 505.00 feet, a central angle of 07 deg. 44 min. 44 sec. and a chord that bears North 02 deg. 41 min. 20 sec. East - 68.22 feet;

THENCE Along the east right-of-way line of said St. James Drive and with said curve to the left, an arc distance of 329.00 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", set for corner at the end of said curve;

THENCE North 01 deg. 11 min. 02 min. West, along the common line of said St. James Drive and Lot 1, Block E, a distance of 280.28 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", set at the intersection of the east right-of-way line of said St. James Drive and the south right-of-way line of the above mentioned Hart Road, for the northwest corner of said Lot 1, Block E;

THENCE North 88 deg. 40 min. 08 min. East, along the common line of said Lot 1, Block E and Hart Road, a distance of 285.00 feet to the POINT OF BEGINNING and containing 87,188 square feet or 2.002 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, HERBERT W. LINDER and AGNES LINDER, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as OAKWOOD ESTATES, PHASE III, LOTS 1R-A & 1R-B, BLOCK E, being a Replat of LOT 1, BLOCK E of OAKWOOD ESTATES, PHASE II, an addition to the Town of Fairview, Texas, and does hereby dedicate 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, all public improvements and dedications shall be free and clear of all debt, liens, and/or encumbrances. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon the Easements or public use areas, except that landscape improvements may be placed in Landscape Easements, if approved by the Town. The Town of Fairview is not responsible for replacing any improvements in, under, or over any easements caused by maintenance or repair. 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 us to particular persons, said use by public utilities being subordinate to the Public's and the Town of Fairview's use thereof. The Town of Fairview and public utilities entities shall have the right to remove and keep removed all or parts of any building, fences, tree shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, efficiency of their respective systems in said Easements. The Town of Fairview 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 of procuring permission from anyone.

That the undersigned do hereby covenant and agree that they shall construct upon the fire lane easements, if any, as dedicated and shown hereon, a hard surface and that they shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other parking of motor vehicles, trailers, boats or other impediments to the access of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking." The police [chief] or his duly authorized representative is hereby authorized to cause such fire lanes and utility easements to be maintained free and unobstructed at all times for the Fire Department and emergency use. The undersigned do covenant and agree that the Access Easements, if any, may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of General Public vehicular and pedestrian use and access, and for Fire Department and emergency use in, along, upon and across said premises, with the right and privilege at all times of the Town of Fairview, its agents, employees, workmen and representatives having ingress, egress, and regress in, along, upon and across said premises.

This plat is approved subject to all platting ordinances, rules, regulations and resolutions of the Town of Fairview. All modifications to this document shall be by means of the plat and approved by the Town of Fairview.

WITNESS, my hand at Fairview, Texas, this the _____ day of _____, 2016.

HERBERT W. LINDER
Owner

AGNES LINDER
Owner

STATE OF TEXAS)
COUNTY OF COLLIN)

STATE OF TEXAS)
COUNTY OF COLLIN)

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared HERBERT W. LINDER, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared AGNES LINDER, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE,
this the _____ day of _____, 2016.

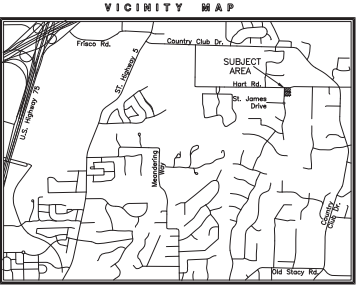
WITNESS MY HAND AND SEAL OF OFFICE,
this the _____ day of _____, 2016.

Notary Public, State of Texas

Notary Public, State of Texas

LEGEND

Cab. = Cabinet
Vol. = Volume
Pg. = Page
Doc. # = Document Number
D.R.C.C.T. = Deed Records, Collin County, Texas
P.R.C.C.T. = Plat Records, Collin County, Texas
IRP = Iron Rod Found
RPLS = Registered Professional Land Surveyor



PURPOSE STATEMENT:

This purpose of this replat is to subdivide Lot 1, Block E of Oakwood Estates, Phase III, Cab. J, Pg. 607, Plat Records of Collin County, Texas, into two (2) lots.

GENERAL NOTES:

- The area (acres) shown hereon is based on the mathematical closure of the courses and distances reflected on this Survey. It does not include the tolerances that may be present due to positional accuracy of the boundary monuments in place.
- Reference Bearing: The bearings shown hereon are referenced to South 01 deg. 10 min. 22 sec. East, along the east line of Lot 1, Block E of Oakwood Estates, Phase III, according to the plat thereof recorded in Cabinet J, Page 607, Plat Records of Collin County, Texas.
- All proposed lots situated in whole or in part within the Town's corporate limits comply with the minimum site requirements of the governing zoning district and the requirements of the subdivision ordinance.

FLOOD ZONE NOTE:

This Surveyor has reviewed Flood Insurance Rate Map No. 48065C02901 (effective date June 2, 2006) published by the Federal Emergency Management Administration for Collin County, Texas and based upon said scaled map and graphic plotting, such review indicates that No Part of the subject parcel shown hereon lies within the 100 Year Flood Plain.

SURVEYOR'S CERTIFICATE

That I, Lawrence H. Ringley, do hereby certify that I have prepared this plat and the field notes shown hereon from an on ground survey of that land, and this plat is a true, correct and accurate representation of the physical evidence found at the time of the survey; that the corner monuments shown hereon were found and/or placed under my personal supervision. This plat was prepared in accordance with the platting rules and regulations of the Town of Fairview, Texas.

DATED this the _____ day of _____, 2016.

PRELIMINARY
RELEASED 04/07/16 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

Lawrence H. Ringley
State of Texas, No. 4701

STATE OF TEXAS)
COUNTY OF COLLIN)

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared LAWRENCE H. RINGLEY, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacity therein stated and for the purposes and considerations therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2016.

Notary Public, State of Texas

PLAT APPROVAL CERTIFICATE

APPROVED AND Zoning Commission, _____, 2016.
By: _____
Chairperson, Planning and Zoning Commission
Town of Fairview, Texas

APPROVED _____, 2016.
By: _____
Mayor, Town of Fairview, Texas

The undersigned, the Town Secretary of the Town of Fairview, Texas, hereby certifies that the foregoing final plat of the Subdivision or Addition to the Town of Fairview was submitted to the Town Council on the _____ day of _____, 2016, and the Council, by formal action, then and there approved the plat and authorized the Mayor to note such approval by signing his/her name as hereinabove subscribed to which I hereby attest.

Witness my hand this _____ day of _____, 2016.

Town Secretary
Town of Fairview, Texas

OWNER
HERBERT & AGNES LINDER
870 St. James Drive
Fairview, Texas 75069
214-551-2305
Email: Herbert.W.Linder@USDJO.gov

SURVEYOR
RINGLEY & ASSOCIATES, INC.
701 S. Tennessee Street
McKinney, Texas 75069
972-542-1266
Email: LHR@Ringley.com

FOR REVIEW PURPOSES ONLY

REPLAT

**OAKWOOD ESTATES, PHASE III
LOTS 1R-A and 1R-B, BLOCK E
2.002 Acres
Being A Replat of
LOT 1, BLOCK E
of
OAKWOOD ESTATES, PHASE III
Cabinet J, Page 607
Plat Records, Collin County, Texas
situated in the
Samuel Sloan Survey, Abstract No. 791
Town of Fairview
Collin County, Texas**

RINGLEY & ASSOCIATES, INC.
SURVEYING & MAPPING & PLANNING
701 S. Tennessee - McKinney, Texas 75069
(972) 542-1266
Texas Firm Registration No. 10061300

Drawn by	Date	Scale	Job	Title	Sheet
Andi Neal	03/15/16	1" = 40'	18013	16013-APP.DWG	1 of 1