



**CITY OF FARMERSVILLE  
PLANNING AND ZONING COMMISSION AGENDA  
REGULAR CALLED MEETING  
NOVEMBER 18, 2019, 6:30 P.M.  
COUNCIL CHAMBERS, CITY HALL  
205 S. Main Street**

**I. PRELIMINARY MATTERS**

- Call to Order, Roll Call, Prayer and Pledge of Allegiance

**II. PUBLIC COMMENT ON AGENDA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS)**

If you wish to address the Planning & Zoning Commission on a posted item on this agenda, please fill out a "Speaker Sign-Up" card and present it to the City Secretary before the meeting begins. Pursuant to Section 551.007 of the Texas Government Code, any person wishing to address the Planning & Zoning Commission for items listed as public hearings will be recognized when the public hearing is opened. Speakers wishing to address the Planning & Zoning Commission regarding any non-public hearing item on this agenda shall have a time limit of three (3) minutes per speaker, per agenda item. The Chairman may reduce the speaker time limit uniformly to accommodate the number of speakers or improve meeting efficiency.

**III. PUBLIC HEARING**

- A. Public hearing to consider, discuss and act upon a recommendation to City Council regarding a text amendment to Chapter 65, "Subdivision Ordinance," of the Code of Ordinances of the City of Farmersville, Texas, that will amend various sections of, and add certain new sections to, said Chapter regarding the timing and process to receive a determination on certain development applications to bring such provisions into conformity with new state laws adopted by and through House Bill 3167.
- B. Public hearing to consider, discuss and act upon a recommendation to City Council regarding a text amendment to Chapter 77, "Comprehensive Zoning Ordinance," of the Code of Ordinances of the City of Farmersville, Texas, that will amend

various provisions of said Chapter which regulate the building products, materials or methods used in the construction or renovation of residential or commercial buildings to bring such provisions into conformity with new state laws adopted by and through House Bill 2439.

#### **IV. ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

- A. Consider, discuss and act upon minutes from November 4, 2019.
- B. Consider, discuss and act upon the final plat of the Potter Division.

#### **V. ADJOURNMENT**

*The Planning and Zoning Commission reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney).*

*Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at 972-782-6151 or Fax 972-782-6604 at least two (2) working days prior to the meeting so that appropriate arrangements can be made. Handicap Parking is available in the front and rear parking lot of the building.*

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted in the regular posting place of the City Hall building for Farmersville, Texas, in a place and manner convenient and readily accessible to the general public at all times, and said Notice was posted on November 15, 2019, by 6:00 P.M. and remained so posted continuously at least 72 hours proceeding the scheduled time of said meeting.

Dated this the 15<sup>th</sup> day of November, 2019.



Sandra Green, City Secretary



# **I. Preliminary Matters**

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**II. PUBLIC COMMENT ON AGENDA ITEMS (FOR  
NON-PUBLIC HEARING AGENDA ITEMS)**

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### **III. Public Hearing**

- A. Public hearing to consider, discuss and act upon a recommendation to City Council regarding a text amendment to Chapter 65, "Subdivision Ordinance," of the Code of Ordinances of the City of Farmersville, Texas, that will amend various sections of, and add certain new sections to, said Chapter regarding the timing and process to receive a determination on certain development applications to bring such provisions into conformity with new state laws adopted by and through House Bill 3167.

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- B. Public hearing to consider, discuss and act upon a recommendation to City Council regarding a text amendment to Chapter 77, "Comprehensive Zoning Ordinance," of the Code of Ordinances of the City of Farmersville, Texas, that will amend various provisions of said Chapter which regulate the building products, materials or methods used in the construction or renovation of residential or commercial buildings to bring such provisions into conformity with new state laws adopted by and through House Bill 2439.
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#### **IV. Items for Possible Discussion**



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- A. Consider, discuss and act upon minutes from November 4, 2019.
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**CITY OF FARMERSVILLE  
PLANNING AND ZONING COMMISSION MINUTES  
SPECIAL SESSION MEETING  
NOVEMBER 4, 2019, 6:30 P.M.  
COUNCIL CHAMBERS, CITY HALL  
205 S. Main Street**

**I. PRELIMINARY MATTERS**

- Chairman Michael Hesse presided over the meeting which was called to order at 6:30 p.m. Commissioners Lance Hudson, Luke Ingram, Rachel Crist, John Klostermann and Brian Brazil were in attendance. Leaca Caspari was not in attendance. Also, in attendance were staff liaison, Sandra Green; City Manager, Ben White; and Council liaison Craig Overstreet.
- Craig Overstreet led the prayer and the pledges to the United States and Texas flags.

**II. PUBLIC COMMENT ON AGENDA ITEMS (FOR NON-PUBLIC HEARING AGENDA ITEMS)**

- No one came forward.

**III. ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

A. Consider, discuss and act upon minutes from October 7, 2019.

- Motion to approve made by John Klostermann
- 2<sup>nd</sup> to approve made by Brian Brazil
- All members voted in favor

B. Consider, discuss and act upon a recommendation to the City Council for the final plat of the Farmersville Plant Addition, Lot 1, Block 1.

- Michael Hesse stated the plat was recommended for approval if they made the changes recommended by DBI Engineering.
- Rachel Crist asked what they would need to address.
- Michael Hesse read off the letter from DBI with the changes that were required.
- Sandra Green explained that some items that make it a Minor Plat would be that it is four or fewer lots, all lots front onto an existing public street and the plat does not require the extension of any municipal facilities.
- Ben White stated that he could technically approve the plat since it is a Minor Plat but he always likes for the plats to come before the Planning & Zoning Commission and City Council for approval.
- Sandra Green explained that a Minor Plat is usually a simple, straight forward plat.
- Ben White explained this was the plat for Nelson Brothers Ready Mix. He said they have not filed for annexation yet, but the city could not hold the plat up because of that. He indicated that he would contact them because they have an agreement with the city to file a petition for annexation.
  - Motion made by John Klostermann to conditionally approve the final plat of the Farmersville Plant Addition, Lot 1, Block 1 subject to the applicant's correction of the following deficiencies or flaws in their plat submittal together with any subsequent flaws; and withholding recording thereof with the County until the applicant's completion of all required public improvements necessary, if any, to serve the proposed development:
    1. The type of plat identified on the face of the plat should be changed from "Final Plat" to "Minor Plat" in accordance with Farmersville Code Section 65-35;
    2. The reference in the Title Block on the Plat to "Lots1, Block 1" should be changed from "Lots" in the plural to the singular to hereafter read "Lot 1, Block 1";
    3. The plat needs to be corrected to show the dedication of road right-of-way that is identified on the City's Master Thoroughfare Plan in accordance with Farmersville Code Sections 65-28(a) and 65-44(c)); and
    4. The Property Owner's Certificate on the plat needs to be replaced with the correct Property Owner's Certificate identified in the attachment to the October 21, 2019, correspondence from Daniel & Brown, Inc. regarding Farmersville Plant Addition – Preliminary Plat Dated October 10, 2019.
  - 2<sup>nd</sup> to approve made by Lance Hudson
  - All members voted in favor

C. Consider, discuss and act upon a recommendation to the City Council for the replat of the Howell Addition, Lost 30R & 31R, Block 1.

- Michael Hesse and Rachel Crist recused themselves due to conflicts of interest.
- Lance Hudson stated that DBI recommended conditional approval pending a few changes being made.
- Ben White explained there were just a few minor things the applicant needed to fix on the plat.
- Sandra Green stated it met the required width and depth for the zoning district.
  - Motion made by Brian Brazil to conditionally approve the final plat the Howell Addition, Lots 30R and 31R, Block 1 subject to the applicant's correction of the following deficiencies or flaws in their plat submittal together with any subsequent flaws; and withholding recording thereof with the County until the applicant's completion of all required public improvements necessary, if any, to serve the proposed development:
    1. Remove the additional ten feet of road right-of-way designation that is not required by the Subdivision Ordinance and the City's Master Thoroughfare Plan;
    2. Add the right-of-way for North Rike Street in accordance with Farmersville Code Section 65-32(a) by and through the requirements of Farmersville Code Sections 65-30(b), 65-29(c)(2) and 65-29(c)(5) and the City's Master Thoroughfare Plan; and
    3. The Title Block on the plat needs to be corrected to match the Title Block requirements for a replat in accordance with Farmersville Code Section 65-32(e).
  - 2<sup>nd</sup> to approve made by Lance Hudson
  - All members voted in favor
- Michael Hesse and Rachel Crist entered the room and rejoined the meeting.

D. Consider, discuss and act upon a recommendation to the City Council for the final plat of the Tran 557 Addition.

- Sandra Green stated the property was located in the ETJ and they will require a variance for fire flows. They have not applied for the variance at this time and the city still needed a "Will Serve" letter from their utility company. Since they are still lacking a few major items staff is recommending denial of the plat.
  - Motion made by Lance Hudson to disapprove the final plat of the Tran 557 Addition because of the following deficiencies or flaws in their plat submittal together with any subsequent flaws; withholding recording thereof with the County until the plat has been resubmitted for consideration with all deficiencies and flaws corrected and the

applicant's completion of all required public improvements necessary, if any, to serve the proposed development:

1. The type of plat identified on the face of the plat should be changed from "Final Plat" to "Minor Plat" in accordance with Farmersville Code Section 65-35;
2. The reference in the Title Block on the Plat to "Lots 1, Block 1" should be changed from "Lots" in the plural to the singular to hereafter read "Lot 1, Block 1";
3. The applicant must submit a letter from Copeville SUD stating that said water utility company has reviewed the final plat and stating any requirements, including easements, which the utility company may require of the applicant to provide potable water to the proposed subdivision in accordance with the requirements of Farmersville Code Section 65-29(h);
4. The applicant must submit a letter requesting a variance from the requirements that the applicant design, construct and install such potable water improvements as may be necessary to provide water in such quantity and at such pressure as is required to provide fire-flow water service to establish a fire protection system for the proposed subdivision in accordance with the requirements of Farmersville Code Section 65-48(a);
5. The plat needs to be corrected to show the dedication of road right-of-way that is identified on the City's Master Thoroughfare Plan in accordance with Farmersville Code Sections 65-28(a) and 65-44(c); and
6. The Property Owner's Certificate on the plat needs to be replaced with the correct Property Owner's Certificate identified in the attachment to the October 21, 2019 correspondence from Daniel & Brown, Inc. regarding Tran 557 Addition Lot 1 Block 1 Review Dated October 10, 2019.

- o 2<sup>nd</sup> to disapprove made by John Klostermann
- o All members voted in favor

E. Consider, discuss and act upon a recommendation to the City Council for the replat of the College Heights Addition, Lots 1R & 2R.

- Sandra Green stated this plat was in the city's Extra Territorial Jurisdiction (ETJ) so the city could not regulate the size of the lots. She stated staff was recommending approval as long as they address the conditions as stated in DBI's letter.
- Michael Hesse was concerned about the lot size.

- Sandra Green stated the city could not enforce zoning in the ETJ. She indicated the only thing the city could regulate in the ETJ was the city's Subdivision Ordinance.
- Ben White stated they have utilities to the lots.
- Michael Hesse said the applicant, according to the letter from DBI, needed to label the streets correctly, show the right-of-way dedication and add city required easements.
- Rachel Crist was concerned about the size of the property and that she could not find the property when she went to view the lots before the meeting.
- Ben White stated those were not reasons to disapprove the plat at this time.
  - Motion made by John Klostermann to conditionally approve the replat of the College Heights Addition, Lots 1R & 2R subject to the applicant's correction of the following deficiencies or flaws in their plat submittal together with any subsequent flaws; and withholding recording thereof with the County until the applicant's completion of all required public improvements necessary, if any, to serve the proposed development:
    1. The streets adjacent to the proposed subdivision need to be correctly identified and labeled in accordance with Farmersville Code Section 65-32(a) by and through the requirements of Farmersville Code Sections 65-30(b), 65-29(c)(2) and 65-29(c)(5);
    2. The plat needs to be corrected to show the dedication of road right-of-way that is identified on the City's Master Thoroughfare Plan in accordance with Farmersville Code Sections 65-28(a) and 65-44(c); and
    3. The plat needs to have a missing city easement added in accordance with Farmersville Code Section 65-53.
  - 2<sup>nd</sup> to approve made by Lance Hudson
  - All members voted in favor, except Rachel Crist who voted no.
- Michael Hesse stated the motion was approved.

#### **IV. ADJOURNMENT**

Meeting was adjourned at 7:05 p.m.

ATTEST:

APPROVE:

\_\_\_\_\_  
Sandra Green, City Secretary

\_\_\_\_\_  
Michael Hesse, Chairman



October 21, 2019

RE: Farmersville Plant Addition – Preliminary Plat  
Dated October 10, 2019

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The comments listed below will need to be addressed:

- Submit as a "Minor Plat" (Section 2.15)
- Fix Title, Lot 1 Block 1 (not Lots)
- Property is located adjacent to road on City Thoroughfare Plan, add dedicated R.O.W. (Section 2.8.1)
- Use correct Property Owner's Certificate. See attached.

If you should have any questions, please contact Sandra Green at the City of Farmersville at 972-782-6151.

Sincerely,

A handwritten signature in black ink that reads "Jacob Dupuis". The signature is written in a cursive, flowing style.

Jacob Dupuis, P.E.

## Information Required on Plat

The plat shall provide a place for the County Clerk of Collin County to stamp the date and location where the plat will be filed in the lower right hand corner of the plat drawing.

Plats shall contain the following certificates and approval/acceptance language:

- Property Owner's Certificate:

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

WHEREAS, [\_\_\_\_ Name(s) \_\_\_\_] is (are) the Owner(s) of a tract of land situated in the [\_\_\_\_\_] Survey, Abstract No. [\_\_\_\_], Collin County, Texas and being out of a [\_\_\_\_\_] acre tract conveyed to him/her (them) by [\_\_\_\_], and a [\_\_\_\_] acre tract conveyed to him/her (them) by [\_\_\_\_], and being more particularly described as follows:

*(Enter accurate metes and bounds property description here)*

NOW, THEREFORE, KNOW ALL MWN BY THESE PRESENTS:

That \_\_\_\_\_, acting herein by an through his (its) duly authorized officers, does hereby adopt this plat designating the herein above described property as \_\_\_\_\_, an addition to the City of Farmersville, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements-shown thereon. The streets and alleys, if any, are dedicated for street purposes and any and all related necessary appurtenances. 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 Council of the City of Farmersville. 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 Farmersville's use thereof.

The City of Farmersville 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 Farmersville 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 Farmersville, Texas.

WITNESS, m y hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By:

\_\_\_\_\_  
Authorized Signature of Owner

\_\_\_\_\_  
Printed Name and Title

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, 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 \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
My Commission Expires On:

- Surveyor's Certificate:

KNOW ALL MEN BY THESE PRESENTS:

That I, \_\_\_\_\_, 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 Farmersville.

(seal)

\_\_\_\_\_  
Signature of Registered Public Land Surveyor  
Registration No. \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, Land Surveyor, 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 \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
My Commission Expires On:

- Approval Block:

“RECOMMENDED FOR APPROVAL”

\_\_\_\_\_  
Chairman, Planning & Zoning Commission  
City of Farmersville, Texas

\_\_\_\_\_  
Date

“APPROVED FOR CONSTRUCTION”

\_\_\_\_\_  
Mayor, City of Farmersville, Texas

\_\_\_\_\_  
Date

“ACCEPTED”

\_\_\_\_\_  
Mayor, City of Farmersville, Texas

\_\_\_\_\_  
Date

The undersigned, the City Secretary of the City of Farmersville, Texas, hereby certifies that the foregoing final plat of the \_\_\_\_\_ subdivision or addition to the City of Farmersville was submitted to the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and the Council, by formal action, then and there accepted the dedication of streets, alley, parks, easements, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
City Secretary  
City of Farmersville, Texas

- Special Notice:

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.



October 21, 2019

RE: Tran 557 Addition, Lot 1 Block 1 Review  
Dated October 10, 2019

The above referenced project has been reviewed according to the ordinances of the City of Farmersville. The comments listed below will need to be addressed:

- Submit as a "Minor Plat" (Section 2.15)
- Fix Title, Lot 1 Block 1 (not Lots)
- Provide will serve letter from Copeville SUD (Section 2.9.8)
- Will need to request a Variance from Fire Protection (Section 3.8.1)
- Property is located adjacent to road on City Thoroughfare Plan, add dedicated R.O.W. (Section 2.8.1)
- Use correct Property Owner's Certificate. See attached.

If you should have any questions, please contact Sandra Green at the City of Farmersville at 972-782-6151.

Sincerely,

A handwritten signature in black ink that reads "Jacob Dupuis". The signature is written in a cursive style with a large initial "J".

Jacob Dupuis, P.E.

## Information Required on Plat

The plat shall provide a place for the County Clerk of Collin County to stamp the date and location where the plat will be filed in the lower right hand corner of the plat drawing.

Plats shall contain the following certificates and approval/acceptance language:

- Property Owner's Certificate:

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

WHEREAS, [\_\_\_\_ Name(s)\_\_\_\_] is (are) the Owner(s) of a tract of land situated in the [\_\_\_\_\_] Survey, Abstract No. [\_\_\_\_], Collin County, Texas and being out of a [\_\_\_\_\_] acre tract conveyed to him/her (them) by [\_\_\_\_\_] and a [\_\_\_\_] acre tract conveyed to him/her (them) by [\_\_\_\_\_] and being more particularly described as follows:

*(Enter accurate metes and bounds property description here)*

NOW, THEREFORE, KNOW ALL MWN BY THESE PRESENTS:

That \_\_\_\_\_, acting herein by an through his (its) duly authorized officers, does hereby adopt this plat designating the herein above described property as \_\_\_\_\_, an addition to the City of Farmersville, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, rights-of-way, and other public improvements-shown thereon. The streets and alleys, if any, are dedicated for street purposes and any and all related necessary appurtenances. 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 Council of the City of Farmersville. 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 Farmersville's use thereof.

The City of Farmersville 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 Farmersville 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 Farmersville, Texas.

WITNESS, m y hand, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By:

\_\_\_\_\_  
Authorized Signature of Owner

\_\_\_\_\_  
Printed Name and Title

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, 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 \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
My Commission Expires On:

• Surveyor's Certificate:

KNOW ALL MEN BY THESE PRESENTS:

That I, \_\_\_\_\_, 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 Farmersville.

(seal)

\_\_\_\_\_  
Signature of Registered Public Land Surveyor  
Registration No. \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_, Land Surveyor, 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 \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\_\_\_\_\_  
My Commission Expires On:



- Approval Block:

"RECOMMENDED FOR APPROVAL"

\_\_\_\_\_  
Chairman, Planning & Zoning Commission  
City of Farmersville, Texas

\_\_\_\_\_  
Date

"APPROVED FOR CONSTRUCTION"

\_\_\_\_\_  
Mayor, City of Farmersville, Texas

\_\_\_\_\_  
Date

"ACCEPTED"

\_\_\_\_\_  
Mayor, City of Farmersville, Texas

\_\_\_\_\_  
Date

The undersigned, the City Secretary of the City of Farmersville, Texas, hereby certifies that the foregoing final plat of the \_\_\_\_\_ subdivision or addition to the City of Farmersville was submitted to the City Council on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and the Council, by formal action, then and there accepted the dedication of streets, alley, parks, easements, public places, and water and sewer lines as shown and set forth in and upon said plat and said Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
City Secretary  
City of Farmersville, Texas

- Special Notice:

NOTICE: Selling a portion of this addition by metes and bounds is a violation of City ordinance and State law, and is subject to fines and withholding of utilities and building permits.

**B. Consider, discuss and act upon the final plat of the Potter Division.**



## SUBDIVISION APPLICATION FORM City of Farmersville, Texas

Please Type or Print Information

*This form shall be completed by the Applicant and submitted to the City Secretary's Office along with 6 copies of the respective plat, fees, and all other required information*

*In order for a completed package to be considered for a Planning and Zoning Board meeting all application materials will need to be turned into the City staff at least 3 weeks prior. The package will need to be technically complete 6 working days prior to the Planning and Zoning Board meeting*

*The use of City of Farmersville administrative forms, checklists, and routing sheets shall not relieve the applicant from following the rules, standards, ordinances, and laws governing the City of Farmersville.*

*The submission of plans/drawings, calculations, etc., along with this application, makes such items public record and the Applicant understands that they may be viewed and/or reproduced by the general public*

*For a list of fees associated see the City of Farmersville Master Fee Schedule. Fees shall be collected for the purpose of defraying the costs of administrative, clerical, engineering, legal, planning, inspection, and other services deemed necessary to properly review and investigate plats and subdivision construction*

*Exemptions to the platting process are listed in section 1.5 of the Subdivision Ordinance.*

*Subdivision Ordinance variances/waivers may be granted by following the steps outlined in section 1.10 of the Subdivision Ordinance.*

*Public infrastructure requirements established by the respective code (example, International Fire Code) and interpreted by the code official may be appealed based on a claim of incorrect interpretation, code applicability, or equivalent methodology. Code requirements cannot be waived*

*Place "X" or check mark in appropriate box. All answers must be "Yes" to submit application.*

<b>Pre-Application Requirements</b>		
Yes	No	Requirement
		Attended Pre-Application Conference
		Plat described by metes and bounds
		Plat located with respect to a corner of the survey or tract or an original corner of the original survey of which it is a part
		Dimensions of plat and of each street, alley, square, park, or other part of the plat intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part
		Plat is located in Collin County
		Plat is located in Hunt County
		Plat is located within the City of Farmersville corporate limits or Extra-Territorial Jurisdiction (ETJ) limits



**Subdivision Application Form**

*Place "X" or check mark in appropriate box. Use the N/A (not applicable) box if a line item is not applicable. Double asterisk items are required for all applications. Where separate documents are requested attach them to this submission*

<b>Required Submission Materials</b>			
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Item Description</b>
			** Six copies of plat. Dimensions should be 24" X 36".
			** Original certified tax certificate
			** Utility service provider letters
			** Proof of land ownership document
			** Electronic version of plat on CD (.PDF and .DWG)
			** Fees with appropriate retainer as required
			Governmental (TxDOT, Collin County, etc.) approval for major thoroughfare access such as driveway
			Farmersville Independent School District (FISD) accommodation letter (high impact residential or multi-family only)
			Two copies of engineering plans
			On-Site Sanitary Sewer Facility (OSSF) certification document
			Engineer's Summary Report
			Development schedule
			Development agreement
			Copy of covenants, conditions, restrictions, and agreements
			Geotechnical report
			Traffic study
			Application letter for proposed street names

*Place "X" or check mark in appropriate box. Only one box may be indicated*

<b>Type of Plat Document Submittal</b>	
<input type="checkbox"/>	Concept Plan
<input type="checkbox"/>	Preliminary Plat
<input type="checkbox"/>	Final Plat
<input type="checkbox"/>	Development Plat
<input type="checkbox"/>	Replat
<input type="checkbox"/>	Amending Plat
<input type="checkbox"/>	Minor Plat
<input type="checkbox"/>	Vacated Plat

## Subdivision Application Form

Place information in all spaces that apply. Depending on the situation some spaces may be left empty

Property Owner Information	
Name	James and Doris Potter
Address	709 State Hwy 78 South
City	Farmersville
State	Texas
Zip	75442
Work Phone Number	
Facsimile Number	
Mobile Phone Number	
Email Address	
Applicant/Responsible Party Information	
Name	Dillman Infrastructure LLC
Address	<del>709</del> 7901 Ambassador Row
City	Dallas
State	Texas
Zip	75247
Work Phone Number	
Facsimile Number	
Mobile Phone Number	
Email Address	
Engineer Information	
Name	<del>Land</del> WT Group - Don Zabick
Address	5580 Peterson Lane #250
City	Dallas
State	Texas
Zip	75240
Work Phone Number	214-733-4430
Facsimile Number	
Mobile Phone Number	
Email Address	
Surveyor Information	
Name	Land Point
Address	525 Sawdust Road Suite 200
City	The Woodlands
State	Texas
Zip	77380
Work Phone Number	281-465-8730
Facsimile Number	
Mobile Phone Number	
Email Address	

*Subdivision Application Form*

<b>General Application Information</b>	
Proposed Name of Subdivision	
Total Acreage of Development	
Physical Location of Property	
Legal Description of Property	
Number of Lots	

*Place "X" or check mark in appropriate box indicating the form provided for proof of land ownership. Attach document to this submission.*

<b>Type of Plat Document Submittal</b>	
<input type="checkbox"/>	General Warranty Deed
<input type="checkbox"/>	Special Warranty Deed
<input type="checkbox"/>	Title Policy
<input type="checkbox"/>	Other (approved by City Manager):

*Place "X" or check mark in appropriate box indicating the current zoning districts comprising the land. Depending on the situation more than one box may be indicated*

<b>Current Zoning</b>	
<input type="checkbox"/>	A Agricultural District
<input type="checkbox"/>	SF-1 One-Family Dwelling District
<input type="checkbox"/>	SF-2 One-Family Dwelling District
<input type="checkbox"/>	SF-3 One-Family Dwelling District
<input type="checkbox"/>	2F Two-Family Dwelling District
<input type="checkbox"/>	MF-1 Multiple-Family Dwelling District-1
<input type="checkbox"/>	MF-2 Multiple-Family Dwelling District-2
<input type="checkbox"/>	P Parking District
<input type="checkbox"/>	O Office District
<input type="checkbox"/>	NS Neighborhood Service District
<input type="checkbox"/>	GR General Retail District
<input type="checkbox"/>	C Commercial District
<input type="checkbox"/>	HC Highway Commercial
<input type="checkbox"/>	CA Central Area District
<input type="checkbox"/>	I-1 Light Industrial District
<input type="checkbox"/>	I-2 Heavy Industrial District
<input type="checkbox"/>	PD Planned Development District
<input type="checkbox"/>	Extra-Territorial Jurisdiction

**Subdivision Application Form**

Place "X" or check mark in appropriate box indicating the proposed zoning districts comprising the land. Depending on the situation more than one box may be indicated. If zoning remains unaffected mark the same as above in the "Current Zoning Districts" table.

Proposed Zoning	
<input type="checkbox"/>	A Agricultural District
<input type="checkbox"/>	SF-1 One-Family Dwelling District
<input type="checkbox"/>	SF-2 One-Family Dwelling District
<input type="checkbox"/>	SF-3 One-Family Dwelling District
<input type="checkbox"/>	2F Two-Family Dwelling District
<input type="checkbox"/>	MF-1 Multiple-Family Dwelling District-1
<input type="checkbox"/>	MF-2 Multiple-Family Dwelling District-2
<input type="checkbox"/>	P Parking District
<input type="checkbox"/>	O Office District
<input type="checkbox"/>	NS Neighborhood Service District
<input type="checkbox"/>	GR General Retail District
<input type="checkbox"/>	C Commercial District
<input type="checkbox"/>	HC Highway Commercial
<input type="checkbox"/>	CA Central Area District
<input type="checkbox"/>	I-1 Light Industrial District
<input type="checkbox"/>	I-2 Heavy Industrial District
<input type="checkbox"/>	PD Planned Development District
<input type="checkbox"/>	Extra-Territorial Jurisdiction

Place "X" or check mark in appropriate box indicating the proposed use of the land. Depending on the situation more than one box may be indicated.

Use of Land and Buildings	
Housing Uses	
<input type="checkbox"/>	One Family Detached Dwelling
<input type="checkbox"/>	One Family Attached Dwelling
<input type="checkbox"/>	Zero Lot Line Dwelling
<input type="checkbox"/>	Town Home
<input type="checkbox"/>	Two Family Dwelling
<input type="checkbox"/>	Multiple Family Dwelling
<input type="checkbox"/>	Boarding or Rooming House
<input type="checkbox"/>	Bed and Breakfast Inn
<input type="checkbox"/>	Hotel or Motel
<input type="checkbox"/>	HUD Code Manufactured Home
<input type="checkbox"/>	Industrialized Housing
<input type="checkbox"/>	Mobil Home



<b>Use of Land and Buildings</b>	
<b>Accessory And Incidental Uses</b>	
	Accessory Building
	Farm Accessory Building
	Home Occupation
	Off Street Parking Incidental to Main Use
	Stable
	Swimming Pool
	Temporary Field Office or Construction Office
<b>Utility And Services Uses Electrical Substation</b>	
	Electrical Energy Generating Plant
	Electrical Transmission Use
	Fire Station
	Gas Lines and Regulating Station
	Public Building Shop or Yard of Local State or General Agency
	Radio, Television, or Microwave Tower
	Radio or Television Transmitting Station
	Sewage Pumping Station
	Sewage Treatment Plant
	Telephone Business Office
	Telephone Exchange, Switching Relay or Transmitting Station
	Utility Line, Local
	Utility Shops or Storage Yards or Buildings
	Water Standpipe or Elevated Water Storage
	Water Reservoir, Well or Pumping Station
	Water Treatment Plant
<b>Recreational And Entertainment Uses</b>	
	Amusement, Commercial
	Amusement, Commercial
	Country Club with Golf Course
	Dance Hall or Night Club
	Day Camp for Children
	Drag Strip or Commercial Racing
	Go Cart Track
	Gun Range
	Park or Playground
	Play Field or Stadium
	Rodeo Grounds
	Swim or Tennis Club
	Theater
	Trailer Park - Recreational Vehicle Park

<b>Use of Land and Buildings</b>	
<b>Educational And Institutional Uses</b>	
	Art Gallery or Museum
	Cemetery or Mausoleum
	Church or Rectory
	College, University or Private School
	Community Center
	Convent or Monastery
	Fairgrounds or Exhibition Area
	Fraternity, Sorority, Lodge or Civic Club
	Home for Alcoholic, Narcotic or Psychiatric Patients
	Hospital Acute Care
	Hospital Chronic Care
	Historical, Religious, Charitable or Philanthropic Nature
	Kindergarten or Nursery
	Library
	Nursing Home or Residence for Aged
	School, Business or Trade and
	School, Public or Parochial
<b>Transportation Related Uses</b>	
	Airport, Landing Field or Heliport
	Bus Station or Terminal and
	Motor Freight Terminal
	Parking Lot Truck
	Parking Lot Structure Commercial
	Railroad Freight Terminal
	Railroad Passenger Station
	Railroad Track or Right-of-Way
	Railroad Team Tracks
<b>Automobile Service Uses</b>	
	Auto Glass, Muffler or Seat Cover Shop
	Auto Laundry
	Auto Parts and Accessory Sales
	Auto Parts and Accessory Sales
	Auto Painting or Body Rebuilding Shop
	Automobile Repair Garage
	Gasoline or Fuel Service Station
	New or Used Auto Sales in Structure
	New or Used Auto Sales Outdoor Lot
	Motorcycle or Scooter Sales and Repair
	Steam Cleaning or Vehicles or Machinery
	Tire Retreading or Capping
	Trailer, Cargo Sales or Rental
	Wrecking or Auto Salvage Yard

*Subdivision Application Form*

<b>Use of Land and Buildings</b>	
<b>Retail And Related Service Uses</b>	
	Antique Shop
	Art Supply Store
	Bakery or Confectionery Shop
	Bank or Saving And Loan Office
	Barber or Beauty Shop
	Book or Stationery Shop
	Camera Shop
	Cleaning Shop or Laundry
	Cleaning Laundromat
	Clinic, Medical or Dental
	Custom Personal Service Shop
	Department Store or Discount Store
	Drug Store or Pharmacy
	Farmers Market
	Florist Shop
	Food Store
	Furniture or Appliance Store
	Garden Shop and Plant Sales
	Handcraft and Art Objects Sales
	Hardware Store or Hobby Shop Key Shop
	Laboratory, Medical or Dental
	Medical Appliances, Fitting, Sales or Rental
	Mortuary
	Offices, General Business or Professional
	Office Showroom/Warehouse or Sales Facilities
	Optical Shop or Laboratory
	Pawn Shop
	Pet Shop, Small Animals, Birds, and Fish
	Private Club
	Repair of Appliances, T.V., Radio and Similar Equipment
	Restaurant or Cafeteria
	Restaurant or Eating Establishment
	Retail Shop, Apparel, Gift Accessory and Similarities
	Sexually Oriented Establishment
	Studio Decorator and Display of Art Objects
	Studio Health Reducing or Similar Service
	Studio, Photographer, Artist, Music, Drama, or Dance
	Tool Rental
	Trailer or RV Sales or Display
	Variety Store or Other Retail Outlet Store
	Veterinarian Office Only

*Subdivision Application Form*

<b>Use of Land and Buildings</b>	
<b>Agricultural Types Uses</b>	
	Farm or Ranch
	Animal Pound
	Animal Clinic or Hospital
	Animal Clinic, Hospital or Kennel
	Greenhouse or Plant Nursery
<b>Commercial Type Uses</b>	
	Bakery Wholesale
	Building Material Sale
	Cabinet and Upholstery Shop
	Cleaning, Drying or Laundry Plant
	Clothing or Similar Light Assembly Process
	Contractors Storage or Equipment Yard
	Heavy Machinery Sales, Storage or Repair
	Lithographic or Print Shop
	Maintenance and Repair Service for Buildings
	Milk Depot, Dairy or Ice Cream Plant
	Manufactured House or Industrialized Homes Sales and Display
	Open Storage of Furniture, Appliances or Machinery, Etc.
	Paint Shop
	Petroleum Products, Storage and Wholesale
	Plumbing Shop
	Propane Storage and Distribution
	Storage Warehouse
	Trailer or Recreational Vehicle Sales or Display
	Welding or Machine Shop
	Wholesale Office Storage or Sales Facilities
<b>Industrial Uses</b>	
	Asphalt Paving Batching Plant
	Concrete Batching Plant
	Concrete Products Manufacture
	Light Manufacturing
	Sand and Gravel Storage
	Sand, Gravel, Stone or Petroleum Extraction

Subdivision Application Form

Indicate the utility provider's name for the property in the space provided.

Utility Providers	
Description of Service	Name
Electrical Service Provider	Farmersville
Water Supplier	
Sewage Disposal	
Telephone Service	AT&T
Cable TV Service	
Gas Service	
Refuse Pick-Up	

The signatures of the owner(s) below indicate intention to follow through with the platting/subdivision process.

Representative of Owner

  
 \_\_\_\_\_  
 Owner's Signature

Steve Herlinger  
 \_\_\_\_\_  
 Owner's Name (Printed)

6/27/2019  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Co-Owner's Signature

\_\_\_\_\_  
 Co-Owner's Name (Printed)

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Co-Owner's Signature

\_\_\_\_\_  
 Co-Owner's Name (Printed)

\_\_\_\_\_  
 Date

Dear City of Farmersville Planning Division:

I, Steve Herlinger, am the owner or owner's representative of a tract or tracts of real property located in the City of Farmersville, Texas, located at and described as Potter Division. I have filed an application for approval of a subdivision plat for this property. I hereby waive the 30-day plat review period established by Section 212.009 of the Texas Local Government Code and acknowledge that the City may require more than 30 days to properly review and consider the plat application. I understand and agree that the plat application may be considered and approved or denied by the Planning and Zoning Commission and/or the City Council more than 30 days later than the date that it was first filed.

Respectfully,

  
Signed by or on behalf of the applicant

6/27/2019  
Date



## **PLANNING & ZONING AGENDA ITEM**

**SUBJECT:** Potter Division  
**MEETING DATE:** November 18, 2019  
**DEPARTMENT:** Planning  
**CONTACT:** Sandra Green, City Secretary

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### **RECOMMENDED CITY COUNCIL ACTION:**

Consider, discuss and act upon the final plat of the Potter Division.

### **ITEM SUMMARY:**

- The application for a plat was submitted on June 26, 2019.
- Since the application date, the applicant had to revise the plat several times to comply with the Subdivision Ordinance and it took several months to receive those revisions.
- The property is located in the City's ETJ on State Highway 78 South, just south of Pecan Creek Drive.
- The applicant has stated they intend to lease the lot for a cell tower.
- The plat has been reviewed by DBI for compliance with the Subdivision Ordinance and has recommended approval of the plat.



November 14, 2019

Mr. Ben White, P.E.  
City of Farmersville  
205 S. Main St.  
Farmersville, Texas 75442

RE: Potter Division Review  
Dated November 4, 2019

Mr. White:

The above referenced plat has been reviewed according to the ordinances of the City of Farmersville and been found to be compliant

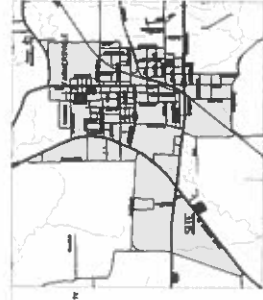
It is recommended that the Final Plat be approved. Please contact me if you should have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Jacob Dupuis". The signature is written in a cursive style with a large initial "J".

Jacob Dupuis, P.E.





**LEGEND / ABBREVIATIONS**

- LOT 1
- LOT 2
- LOT 3
- LOT 4
- LOT 5
- LOT 6
- LOT 7
- LOT 8
- LOT 9
- LOT 10
- LOT 11
- LOT 12
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- LOT 94
- LOT 95
- LOT 96
- LOT 97
- LOT 98
- LOT 99
- LOT 100

**OWNER'S CERTIFICATE**

I, the undersigned, being the owner of the above described property, do hereby certify that the same is a part of the City of Farmersville, Texas, and that the same is subject to the provisions of the City of Farmersville Ordinance No. 111, as amended, which provides for the classification of property for the purposes of taxation, and that the same is not subject to any other law or ordinance which would affect the same in any manner whatsoever.

I further certify that the above described property is not subject to any other law or ordinance which would affect the same in any manner whatsoever.

I have signed this certificate on this 15th day of August, 2019.

**OWNER:**  
DAVID J. JAMES SURVEY, ABSTRACT 471  
CITY OF FARMERSVILLE ISD  
FARMERSVILLE, TEXAS

**SURVEYOR:**  
JAMES POTTER AND ASSOCIATES, INC.  
1405 S. JAMES STREET, SUITE 100  
FARMERSVILLE, TEXAS 75759  
PHONE: 817-378-1111  
FAX: 817-378-1112

**AUGUST 2019**

**FINAL PLAT**  
**POTTER DIVISION**  
**5.078 ACRES**  
**(221,254 SQUARE FEET)**  
**LOCATED IN THE**  
**DAVID J. JAMES SURVEY, ABSTRACT 471**  
**CITY OF FARMERSVILLE ISD**  
**FARMERSVILLE, TEXAS**

**APPROVED FOR THE CITY OF FARMERSVILLE**

The City of Farmersville, Texas, Ordinance No. 111, as amended, which provides for the classification of property for the purposes of taxation, and that the same is not subject to any other law or ordinance which would affect the same in any manner whatsoever.

I have signed this certificate on this 15th day of August, 2019.

**CITY CLERK:**  
JAMES POTTER AND ASSOCIATES, INC.  
1405 S. JAMES STREET, SUITE 100  
FARMERSVILLE, TEXAS 75759  
PHONE: 817-378-1111  
FAX: 817-378-1112



## **V. Adjournment**