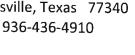


#### WALKER COUNTY COMMISSIONERS COURT

1100 University Avenue Huntsville, Texas 77340

> **DANNY PIERCE** County Judge





DANNY KUYKENDALL Commissioner, Precinct 1

**RONNIE WHITE** Commissioner, Precinct 2

**REVISED AGENDA REGULAR SESSION TUESDAY, JANUARY 3, 2023** 9:00 A.M. **ROOM 104** 

**BILL DAUGETTE** Commissioner, Precinct 3

JIMMY D. HENRY Commissioner, Precinct 4

#### **CALL TO ORDER**

- Announcement by the County Judge whether a quorum is present.
- Certification that public Notice of Meeting was given in accordance with the provisions of Section 551.001 et. Seq. of the Texas Government Code.

#### **GENERAL ITEMS**

- Prayer Pastor James Necker
- Pledge of Allegiance
- Texas Pledge "Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God, one and indivisible"
- Citizens Input Agenda Items

#### **CONSENT AGENDA**

- 1. Approve minutes from Commissioners Court Regular Session on December 19, 2022.
- 2. Approve Walker County COVID-19 Disaster Declaration Extension issued December 19, 2022.
- 3. Approve Disbursement Report for the period of 12/19/2022 12/21/2022.
- 4. Receive financial information as of December 29, 2022, for the fiscal year ending September 30, 2023.
- 5. Receive financial information as of the Month Ended November 30, 2022, for the fiscal year ending September 30, 2023.
- **6.** Receive overview of Road and Bridge General invoices.
- 7. Approve payment of claims and invoices submitted for payment.
- 8. Approve Facility Request 2023-23, Lions Club Flag Project/Huntsville Lions Club request to display United States Flags and Texas State Flags, all day, January 16, 2023, February 20, 2023, and March 2, 2023.
- 9. Receive Treasurer Investment Report for November 2022.
- 10. Receive Justice of the Peace Precinct 1 Report for November 2022.
- 11. Receive Justice of the Peace Precinct 2 Report for November 2022.
- 12. Receive Justice of the Peace Precinct 3 Report for November 2022.
- 13. Receive Justice of the Peace Precinct 4 Report for November 2022.
- 14. Receive City of Huntsville Fire Department Reports.

#### **STATUTORY AGENDA**

#### **Emergency Management**

- 15. Discuss and take action on updating the Walker County Storm Shelter Lease Agreement Policy. Butch Davis
- 16. Discuss and take action on approval of Bonds for Elected Officials sworn in January 1, 2023: County Judge, Colt Christian; County Court at Law Judge, Tracy Sorensen; District Attorney, Will Durham; District Clerk, Leslie Woolley; County Clerk, Kari French; County Treasurer, Amy Klawinsky; Commissioner Precinct 2, Ronnie White; Commissioner Precinct 4, Brandon Decker; Justice of the Peace Precinct 1, Steve Fisher; Justice of the Peace Precinct 2, Marcus Payne; Justice of the Peace Precinct 3, Randy Jeffcoat; Justice of the Peace Precinct 4, Stephen Cole. - Kari French

#### **Commissioners Court**

- 17. Discuss and take action on the appointment of Butch Davis to the Board of ESD #1. Commissioner Daugette
- 18. Discuss and take action to move funding (\$1,995) for over market position to Pct. 4 operating budget. Commissioner, Pct. 4
- 19. Discuss and take action on extension received for the submission of the 2022 Community Development Block Grant Program application deadline to April 10, 2023. – County Judge
- 20. Discuss and take action on revised Resolution 2023-19, Authorizing Submission of the 2022 CDBG-MIT-MOD Grant Application, reflecting a change in the amount of HUD MID Funding to \$1,281,200. - County Judge
- 21. Discuss and take action on revised Resolution 2023-20, Authorizing Submission of the 2022 CDBG-MIT-MOD Grant Application, reflecting a change in the amount of State MID Funding to \$4,731,250. - County Judge
- 22. Discuss and take action on Application for Federal Assistance (Form SF-424) for the 2022 MIT MOD HUD application. - County Judge

- 23. Discuss and take action on Application for Federal Assistance (Form SF-424) for the 2022 MIT MOD State application. County Judge
- 24. Discuss and take action on approval of the Environmental Review form for Activity/Project that is Exempt or Categorically Excluded for the 2022 CDBG-Mitigation Method of Distribution HUD-MID project. County Judge
- **25.** Discuss and take action on approval of the Environmental Review form for Activity/Project that is Exempt or Categorically Excluded for the 2022 CDBG-Mitigation Method of Distribution State-MID project. County Judge
- **26.** Discuss and take action on Local Certification for the CDBG-MIT-MOD program application. County Judge
- 27. Discuss and take action on GrantWorks Negotiation of Profit proposal. County Judge
- 28. Discuss and take action on Grant Administration Services Agreement between Walker County and GrantWorks for the 2022 Community Development Block Grant-Mitigation (CDBG-MIT-MOD) Grant Application. County Judge
- **29.** Discuss and take action on Southeast Texas Housing Finance request for signature of approval for the Issuance of Tax-Exempt Bonds for the acquisition and rehabilitation of the Portofino Apartments-Pasadena, Texas. County Judge
- **30.** Discuss and take action on approval of 2023 HGAC Membership Dues, and receive 2021-2022 HGAC Program Report. County Judge

#### **Planning and Development**

- **31.** Public hearing concerning [Plat # 2022-047] Re-Plat of Lots 21 and 22, Block 1, Section 4 of the Wildwood Shores Subdivision, A. Whittaker Survey, A-581 Wildwood Lake Drive Pct. 4 Andy Isbell
- **32.** Discuss and take action on [Plat # 2022-047] Re-Plat of Lot 21 and 22, Block 1, Section 4 of the Wildwood Shores Subdivision, A. Whittaker Survey, A-581 Wildwood Lake Drive Pct. 4 Andy Isbell
- **33.** Discuss and take action on Jacob Bryant request for waiver of fee (\$ 200.00) for Variance Request for property Lot(s) 1-4, Block 5, Section 1 of the Whispering Pines Subdivision William Winters Survey, A-53 Pine Lane Pct. 4 Andy Isbell
- 34. Discuss and take action on Jacob Bryant request for variance to Section 3.1 of the Walker County Subdivision Regulations regarding General Plat Requirements for property Lot(s) 1-4, Block 5, Section 1 of the Whispering Pines Subdivision William Winters Survey, A-53 Pine Lane Pct. 4 Andy Isbell
- **35.** Discuss and take action on [Plat # 2022-046] Re-plat of Lot(s) 1-4, Block 5, Section 1 of Whispering Pines Subdivision William Winters Survey, A-53 Pine Lane Pct. 4 Andy Isbell
- **36.** Discuss and take action on Mid-South Electric Cooperative Utility Installation Request for underground fiber along Walker Loop Pct. 2 Andy Isbell
- **37.** Discuss and take action on Herschal Brannen request for variance to Section 3.1 of the Walker County Subdivision Regulations regarding General Plat Requirements for property Heartland RV Park property 14.00 acre tract John J. Porter Survey, A-38 SH 19 Pct. 3 Andy Isbell

#### **EXECUTIVE SESSION**

If during the course of the meeting covered by this notice, Commissioners Court shall determine that a closed meeting of the Court is required, then such closed meeting as authorized by Texas Government Code 551, subchapter D, will be held by the Commissioners Court at the date, hour, and place in this notice or as soon after the commencement of the meeting covered by this notice as the Commissioners Court may conveniently meet in such closed meeting concerning any and all subjects and for any and all purposes permitted by Chapter 551, subchapter D, inclusive of said Texas Government Code, including but not limited to:

- **Section 551.071** For the purpose of private consultation between the Commissioners Court and its attorney when the attorney's advice with respect to pending or contemplated litigation settlement offers, and matters where the duty of the Commissioners Court counsel to his client pursuant to the Code of Professional Responsibility of the State Bar of Texas clearly conflicts with the Open Meetings Act.
- **Section 551.072** For the purpose of discussion with respect to the purchase, exchange, lease, or value of real property, if deliberation in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations with a third person
- **Section 551.073** For the purpose of deliberation regarding prospective gifts or to deliberate a negotiated contract for prospective gift or donation to the Commissioners Court or Walker County, if deliberation in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations with a third person.
- **Section 551.074** For the purpose of considering the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear complaints or charges against a public officer or employee, unless such officer or employee requests a public hearing.
- **Section 551.076** To discuss the deployment, or specific occasions for implementation of security personnel or devices.
- **Section 551.086** Deliberation regarding economic development negotiations.

#### **INFORMATION ITEMS**

- Public Comment Non-agenda items
- Questions from the media
- Commissioners Court

#### **ADJOURN**

On this 30<sup>th</sup> day of December, 2022, the Executive Administrator to the County Judge filed this notice, and was posted at the main entrance of the Walker County Courthouse.

Danny Pierce, County Judge

Kari A. French, County Clerk

I, the undersigned County Clerk, do hereby state that the above Notice of Meeting of the above named Commissioners' Court, is a true and correct copy of said Notice, and I posted a true and correct copy of said Notice on the Courthouse Public Notices area of Huntsville, Walker County, Texas, at a place readily accessible to the general public at all times on the 30<sup>th</sup> day of December, 2022 and said Notice remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

Dated this  $30^{th}$  day of December, 2022.

FILED FOR POSTING At 10:29 o'clock AM

DEC 30 2022

KARI FRENCH, COUNTY CLERK

# WALKER OUNTY PLAT APPLICA'. ON

If any section is not applicable to the proposed development project please mark that section "NA" All references to the Walker County Subdivision Regulations will be abbreviated WCSR in this document.

SECTION A - OW	NER / APPLICANT INFORMATION	FOR COUNTY USE ONLY		
1. Property Owner's Last Name	A2. Property Owner's First Name	Application Number:		
REID	MARTIN AND JENNIFER	P-2022-047		
3. Mailing Address		Date of Submittal:		
3. Walling Address		11-10-22		
		111022		
		Precinct Number:		
O:L.	State	ZIP Code		
City	TX	77494		
4. Primary Telephone Number	A5. Alternate Phone Number			
Too				
A6. Email Address	A7. Name of Lienholder (If no lienhold	er mark "None")		
	NONE			
	SECTION B - PROFESSIONAL SERVICES			
ndividual is given authority to sign for, such the case that the owner wishes to retra Development Office. If no Authorized Re Development All correspondence, inclinate	mation of an Authorized Representative on the ap mit, receive, and make any decisions related to the act this authority, the Owner/Applicant shall submit epresentative is named then all communications re uding but not limited to notices, approvals, disappro-	t this retraction in writing to the Planning a		
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	SECTION Information for the	on - PAI e tract or tr	RENT T	RACT PROPERTY and that are the sub	INFORMA oject of the	TI( pla: application	on			
C1 Is the property loc	cated within the city limi						*Yes	×	No	
	"Yes" then the applican									
	thin two miles of the Cit						*Yes	X	No	
	"Yes" then the applican				ons to the	City of Hunts	ville.			
							Yes		N	
C3. Is the property wi	ithin 1/2 mile of the City	of New vva	iveny? (	wark with X )		- dood the C	nographic	Id# can be ob	1 taine	
The Abstract, Tract #, from the Walker Coun property is in a platted mark these sections "i	and Survey Name are g ty Appraisal District, the I subdivision items B10 - NA"	enerally ind Appraisal B13 must	cluded ir District be filled	n the property descri Map or the most red out using information	cent prope on from the	rty tax statem property dee	ent issued ed, if not in	a platted subd	ivisio	
	C5 Appraisal Geogra	aphic ID#		Survey Name				C7. Abstract	#	
0.37				WHITTAKE				A - 581		
	Section C8	C11 are f	or Amer	nding Plat and Repla	at Applicati	ons only.	ion#		-	
C8. Subdivision Name	e			C9. Lot #s	C10.	C11. Sect	ion #			
WILDWOOD S	SHORES			21A	Block					
C12 Deed Record Fi	iling Information for Pare re than one tract please	ent Tract (s indicate m	) (WCD) ultiple d	R and WCOPR are eeds.	the record	sets of the C	ounty Clerl	( - Mark the re	cord	
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	Please choose a	SECTI single app	ON D - lication	APPLICATION To type from the list be	TYPE slow and m	ark with an ")	<i>(</i> ".			
								on 4 lots)		
D1 Plat A	pplication (This applicat	ion is require	ed for all p	olat applications includ	ding improve	ements <u>or</u> Includ	ung more ur	an + lolly		
D2 Minor	Plat Application (This	application is	s required	l for minor subdivision	s with no pr	oposed infrastr	ucture <u>and</u> 4	or less lots.)		
	at / Amending Plat App									
	otion Application (This									
D4 Excep					-	-			_	
be requested by the application is outside awaiting the results Guidance Review will released as part of th	dance review is only all owner/applicant below the standard review tir of this review. If at an I cease, and the incomple guidance review are raply with the regulations	owable if a and author nelines, ho y time dur lete results not to be co	n application application in applica	ne applicant/ owner Guidance Review	review of the may process a process a	ne guidant ne submitted eed to submit completed ap the applicant	a complet oplication is Any defic	e application of submitted the iencies or contrained owner's	witho ien th nmen agen	
E1 The Developer/O	wner does hereby volur application is found to l	tarily make	e a reque	est for a "Guidance I	Review"	Yes, a reque		No, a re not requ		

	SECTIO	- SUBDIVISION APPL	CATION DETAILS	A Subdivisio	on)		
	The # of Proposed Lots show	F3. # of Proposed Lots	F4. Proposed Nam	e of Subdivision	on		
F1. Original Acreage	F2. Original # of Tracts  2	F3. # 01 PTOPOSEG LOIS	WILDWOOP				
0.31		NGINEERING AND PRO					
			OOLD IIII 100 L		X	Yes	No
	subdivision utilize a public v				_	Yes	No
G2. Will the proposed	subdivision utilize individua	I on-site sewage facilities?		audated by	tho.	-	H-
G3. Will the proposed WCSR?	subdivision include the con	struction of road, drainage,	or other improvement			Yes	No
	33 is "Yes" then what is the	estimated cost of construction	on of all regulated imp	rovements?	ALREAD PLACE		
	33 is "Yes" then what is the			ieer	ALREA ?	_	
G6. Will the proposed	subdivision access from or	across a Texas Departmen	t of Transportation sys	stem road?	X	Yes	No
	CECTION U	CEPTIFICATIONS AND A	CKNOWLEDGEME	NTS			
hereby certify that the represents my unders	dividual, am the legal owner e information contained in t standing, agreement, and ac is hereby given to Walker	ceptance of the following its	ems:	e private pror	perty des		
liantian for	the number of inchection 2	na regulation related to this	application and the di	pp://daz.o.			
ta a a manufacturida	d understand the requirement all the requirements therein on and acceptance of this a	7					
proposed con after the origir shall be given resubmittals, a that any incre	struction will be approved to nal submittal of the application of the applications submitted applications, or responses at ase in the fee must be paid	on at any point without any incomplete or applications fer the initial application mawhen the additional submitted.	refund of the applicati withdrawn. The appli y result in a fee increa al is submitted.	ion fee. This in icant also reconse to the origin	ncludes to ognizes to nal applica A final ap	hat no re hat addi ation fee proval c	efund tional , and
application and understand the	on and acceptance of this dapproval of the plat for fill at any approvals made relations.	ing must be made in writing ited to this application are	made subject to the n	ninimum requi	rements	of the W	/alker
approval und	uriance is granted to the Wa er this application shall b ant is still fully responsible for	e construed to provide a or compliance with said regi	ulations.				
6. The fee for th lots, length of charged at th	e subdivision applications n road centerline, and the qui e original submittal may incr	nay be calculated based or antity of revisions, replacem ease during the application paid as part of any submitte	i variable factors inclu- nent applications, and timeline if any of thes all of a revision, replace	se variables chement, or resp	nange or a onse to a	are calcı ın applic	ulated ation.
liabilities, exp construction, application.	ase, indemnify, and hold han bressly including alleged no development, design, or rev I understand that I and my provements to local, State, a	view related to this applicat agents are completely and and Federal Standards.	ion or occurring unde I wholly responsible f	r any permit is or the design	ssued in r and cons	relation t struction	o this of all
8. I certify that a	all necessary permits from the deral Water Pollution Control control Quality, Texas Historic Board, TXDOT, and City Applications of the properties of the pr	nose Federal, State, or local of Act Amendments of 1972 cal Commission, United States	tes Fish and Wildlife	s (including but ps of Enginee (Endangered	it not limi rs), Texa: Species),	s Comm Texas	ission Water
Signature	d Q1	Date 10/28/	Print	ed Name MARTI	4 Ra	11	
THE STATE OF	exas § Co	DUNTY OF FORT	end s	i			
Year St.		a notary public	on this day personally		- albu-		
to mal to be the per	ARTIN RTIS son whose name is subscrib ed the same for purposes an	knowed to the forgoing instrume	own to me ( or proved nt and acknowledged	10 A	NIT Notary F Comm	IN CHOU Public, Str Expires ( ry ID 133	DHARY ale of Ta 06-21-20
Given under my han	d and seal of officer this $2$	8 Day of October	_, 20 <u>2</u> 2	- Annual and	1,0(0)	10 133	100929
						111	

#### THE STATE OF TEXAS

COUNTY OF WALKER

#### KNOWN ALL MEN BY THESE PRESENTS:

We, MARTIN & JENNIFER REID, owners of the certain tract of land shown hereon and described in a deed recorded in Document No.S 83412 & 83413 of the Official Records of Walker County, Texas, (and do hereby state that there are no lien holders of the certain tract of land), and do hereby (subdivide, re-subdivide, amend, etc.) said tract as shown hereon, an do hereby consent to all plat note requirements shown hereon, and do hereby forever dedicate to the public the roads, alleys, rights-of-way, easements and public places shown hereon for such public purposes as Walker County may deem appropriate and do hereby state that all public roadways and easements as shown on this plat are free from liens or this dedication is approved by a lien holder. This subdivision is to be known as WILDWOOD SHORES SECTION 4 BLOCK 1 LOT 21A MINOR REPLAT.

TO CERTIFY WHICH, WITNESS by my hand this 21st day of Nov. , 20 22

Owners

Katy, Texas 77494

26806 Kingsbrook Sky Lane

THE STATE OF TEXAS

COUNTY OF Post Roud

BEFORE ME, the undersigned authority, on this day personally appeared, MARTIN & JENNIFER REID, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed same for purposes and consideration therein expressed, and in the capacity and herein set out, and as the act and deed of said company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 21 st day of November, 20 29

#### SURVEYOR"S ACKNOWLEDGEMENT

I, Michael C. Warren, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey if the property made under my supervision on the ground; that the elevation benchmark reflected on the face of the plat was established as required by regulation; that all corners and angle points of the boundaries of the original tract to be subdivided of reference have been marked with iron rods which have a diameter of not less than fight-eights of an inch (5/8") and a length of not less than three feet (3') unless otherwise noted; and that the plat boundary corners have been tied to the nearest survey corner.

Michael C. Warren Registered Professional Land Surveyor No. 4935



#### THE STATE OF TEXAS

#### COUNTY OF WALKER

The Commissioners Court of Walker County, Texas, does hereby certify that this map or plat, with field notes hereon, for a subdivision having been fully presented to the Commissioners Court of Walker County, Texas, and by the said Court duly considered, was on this day approved and that this plat is authorized to be registered and recorded in the proper records of the County Clerk of Walker County, Texas. This certification is based upon the representations of the developer/developer's agent, engineer, sanitarian, and/or surveyor whose seal(s) and/or signatures are affixed hereto. This certification is made solely upon such representations and should not be relied upon for verifications of the facts alleged. Walker County disclaims any responsibility to any member of the public for independent verification of the representations, factual or otherwise, contained in this plat and the documents associated with it.

This is to certify the the Commissioners Court of Walker County, Texas has on the \_\_\_\_\_ day of \_\_\_\_ Danny Pierce County Judge Danny Kuykendall Ronnie White Commissioner Precinct 1 Commissioner Precinct 2 Bill Daugette Jimmy D. Henry Commissioner Precinct 3 Commissioner Precinct 4

#### THE STATE OF TEXAS

#### COUNTY OF WALKER

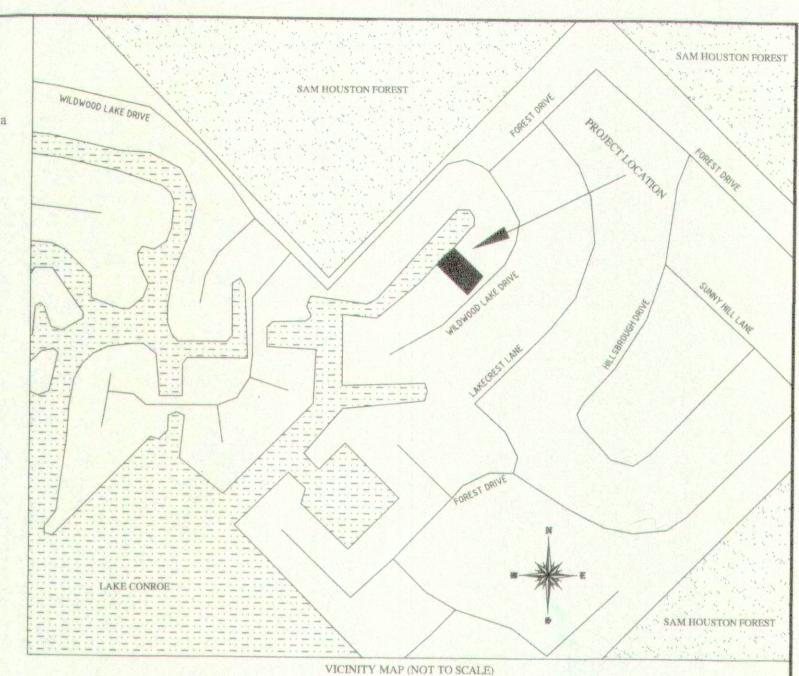
I, KARI A. FRENCH, Clerk of the County Court of said County, do hereby certify that the foregoing instrument in writing with its certificate of authentication was filed for record in my office on the day of 20\_\_\_\_\_A.D., at \_\_\_\_\_\_\_o'clock, \_\_\_\_\_.M., and duly recorded this day the day of \_\_\_\_\_ o'clock, \_\_\_.M., in the Plat Records of said County in Volume

TO CERTIFY WHICH, WITNESS my hand and seal at the County Court of said County, at my office in Huntsville, Texas, the date last shown above written.

KARI A. FRENCH, Clerk County Court of Walker County, Texas

#### GENERAL NOTES:

- 1. No portion of this Property appears to lie within the 100 Year Floodplain per Walker County Unincorporated Areas No. 481042, FEMA Firm Panel No. 48471C0500D, Having an effective date of 8-16-2011.
- 2. No structure or land within this plat shall hereafter be developed without first obtaining a Development Permit from the Walker County Floodplain Administrator unless the proposed development is exempt or excepted from the Walker County Floodplain Development Regulations. The minimum lowest finished floor elevation shall be in minimum compliance with the local, State, or Federal regulations whichever elevation is higher.
- 3. All owners of lots within the subdivision shall have the responsibility of complying with the Walker County Subdivision Regulations' policies on drainage runoff due to the development of impervious areas created through the development of the lot for residential, commercial, or recreational use. It is the responsibility of lot owners to comply with any regulations or limitations noted, and permits issued by Walker County for development do not act as a waiver or variance of the lot owner's responsibility to provide for excess runoff and drainage created by the permitted development. If detention of water is necessary in order to comply with the local, state, or federal regulations including but not limited to the Walker County Subdivision Regulations then the owner may be able to accomplish compliance with said policies through creating detention on a single lot, multiple lots, or the entire subdivision depending on the circumstances involved and depending on the owner's ability to obtain the cooperation of other owners in the subdivision. A copy of an agreement between owners to create detention shall be submitted to Walker County and filed in the public records becoming a restriction on future owners, heirs, and assigns.
- 4. All lots within the subdivision and the owners thereof must continue to accept all existing drainage flows and drainage structures in place at the time of development that are a part of or necessary to the existing or designed roads infrastructure or the existing or designed system of drainage, in addition to all natural flows of water entering onto or crossing the property.



OWNER'S RESPONSIBILITIES

It is the responsibility of the Owner, not the County, to assure compliance with the provisions of all applicable state, federal and local laws and regulations relating to the platting and development of this property.

The County assumes no responsibility for the accuracy of representations by other parties in this plat. Floodplain data, in particular, may change. It is further understood that the Owner(s) of the tract of land covered by this plat or a designated property owner's association must install and maintain at their own expense all roads, stormwater management controls, traffic control devices, and signage that may be required until such time, if any. said infrastructure in the subdivision have been accepted for public maintenance.

#### MAILBOXES

Cluster and individual mailboxes, if allowed, shall be set three feet from the edge of the pavement or behind curbs, when used. All mailboxes within County arterial right-of-way shall meet the current TxDOT standards. Any mailbox that interferes or negatively affects the maintenance or use of the roads or drainage system may be removed by Walker County.

# WILDWOOD SHORES SECTION 4, BLOCK 1 LOT 21A MINOR REPLAT

BEING A SUBDIVISION OF 0.37 ACRES SITUATED IN THE A. WHITTAKER SURVEY, ABSTRACT No. A-581, WALKER COUNTY, TEXAS.

> 1 LOT 1 BLOCK **NOVEMBER 2022**

OWNER MARTIN AND JENNIFER REID 26806 Kingsbrook Sky Lane Katy, Texas 77494

SURVEYOR SURVIECH CORPORATION FIRM REGISTRATION No. 10005100 2020 FM 2854 CONROE, TEXAS 77304

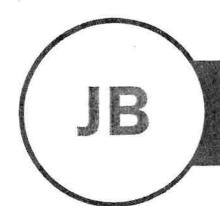
# LOT 20 LAKE CONROE BLOCK 1 WILDWOOD SHORES SECTION 4 VOL. 3, PG. 168 P.R.W.C., TX LOT 21A 0.37 Acres LOT 23

# WILDWOOD SHORES SECTION 4, BLOCK 1 LOT 21A MINOR REPLAT

BEING A SUBDIVISION OF 0.37 ACRES SITUATED IN THE A. WHITTAKER SURVEY, ABSTRACT No. A-581, WALKER COUNTY, TEXAS.

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## JACOB BRANC

#### CONTACT



#### WALKER COUNTY PLANNING & DEVELOPING

RE-PLAT • P&D OFFICE • 1313 UNIVERSITY AVENUE • HUNTSVILLE, TEXAS 77340

#### Date

Dear Walker County Planning & Developing, I would like to Request a Waiver of this Fee in the amount of \$200.00 in regard to the Variance form. I would like to proceed with the former regulations due to the fact we stated this filing before there were changes.

Sincerely,
Jacob Bryant

Jacob Bryant

# VARIANCE REQUEST TO THE SUBDIVISION REGULATIONS OF WALKER COUNTY, TEXAS

Copy all pages of this form and all attachments for (1) community official, (2) building owner. If any section is not applicable to the proposed development project please mark that section "NA"

If any section is not applicable to the pro-			
SECTION A – PROPERTY INFO	FOR COUNT  Application No		
A1. Property Owner's Name			
Jacob Bryant	P-2022-046		
A2. Property Owner's Street Address			ittal:
		12/6/	22
City	State	ZIP Code	
A3. Property Owner's Email Address	A4. Property Owner's Telepho	ne Number	
All Topolty Cities of Linear Park			
A5. Property Description of Parent Tract (Lot and Block Nu	mbers, Legal Description, etc.)		
Lot(s) One (1), Two (2), Three (3), and Four (4	4), Block Five (5), of Whisperir	ng Pines La	ke Subdivision,
lout of the Wm. Winters Survey, A-53, Walker	County, Texas, according to the	ne map or p	lat thereof
recorded in Volume 195, Page 662 of the Dee	ed Records		
SECTION B - INFORMAT	ION FOR PROPOSED SUBDIVISION	N TRACT	
(For projects involving multiple map panels an addition	nal sheet may be listed below or incl	uded in an ad	ditional attachment)
B1. Survey and Abstract	B2. Tax ID Number(s) of Parent Tract 8771-005-0-00100		B3. Deed Volume/Page nst. No. 52936
Wm. Winters (A-53)	0111-000-0-00100	'	1101. 110. 02000
	11g - 19g		Diatted
B4. Existing or Proposed Name of Subdivision	B5. Is the application for a division of a lo Subdivision? (Yes/No)	ot in an Existing	Piatte0
Whispering Pines Lake Subdv.	Yes		
	AN ADDEAL TO THE COMMISSIONE	R'S COURT O	F WALKER COUNTY
THE ABOVE NAMED APPLICANT DOES HEREBY MAKE FOR A VARIANCE TO THE REGULATORY REQUIREM	MENTS OF THE SUBDIVISION REGI	JLATIONS OF	WALKER COUNTY,
TEXAS.			
SECTION C	- LIST OF ATTACHMENTS		tachments
Please list any supporting documents or sul	bmittals included with the variance	request as at	
Description of	Attachment(s)		Exhibit #
C.1 Replat survey of 0.248 ac. into existing lo	t(s)		A
C.2			
C.3			
C.4			
C.T			

(All \	Variance requests need to include the specific variance along with the Section(s) of the Regulation to which they apply)
	A Variance is requested to Section(s) 3.1 of the Subdivision Regulations of Walker County, Texas as follows:
	I am seeking to re-plat the 0.248 acres into my existing lots in the Whispering Pines
	Lake subdivision. This process was begun in May 2020 with the adjacent
	owner Mr. Michael J. West. Due to COVID, surveying delays and Mr. West
	having to get approval on his portion, my application was delayed past the 6/1/22 date of the new regulations.
nce r	SECTION E – APPLICANT'S JUSTIFICATION AND PRESENTATION FACTORS EFFECTING VARIANCE equests to the Walker County Subdivision Regulations need to be included along with the Section(s) of the Regulation to which they apply
E.1	Is the variance related to the design or construction of improvements to be constructed within the subdivision?  Yes NoX
	If "Yes" the request should be accompanied by an engineer's opinion and justification for the variance.
E.2	Please explain the cause or reason the variance is being requested (attach additional pages as "Exhibit E.2"):  We are seeking to replat under the previous WCSR prior to
	6/1/22 since we began this process in 2020. We are seking to combine
	all of the property into one lot for homesteading purposes. Proceeding under the
	new WCSR would result in further delays and greater expense in survey
	costs for the project.
E.3	Will the failure to grant the variance requested result in any exceptional hardship to the applicant?
	Yes No
	If yes please explain below: Yes, further delay in my project and greater expense to my family in
	surveying costs/taxes (unhomesteaded status) to process the replat
	under the new WCSR dated 6/1/2022
	Does the applicant propose any additional conditions, mitigation, or additional requirements not addressed

SECTION	F -VARIANCE(S) GRANTED	
F.1 A VARIANCE TO THE WALKER COUNTY SU	JBDIVISION REGULATIONS IS GRANTED AS FOL	LOWS:
F.2 THE FOLLOWING CONDITIONS ARE ATTAC	CHED TO THE VARIANCE:	
-		
SECTION G - NOTICE, AC	KNOWLEDGEMENT, AND CERTIFICATIONS	
	NOTICE	
ALL DEVELOPMENT MUST BE IN STRICT COMPLIANC STATED WITHIN THE APPLICATION OR DURING TH RESULT IN THE IMMEDIATE SUSPENSION OR CANCI VARIANCE MAY ALSO RESULT IN THE COMMISIONER	E PRESENTATION TO COMMISSIONERS COUR ELLATION OF THIS VARIANCE. VIOLATION OF T	HE CONDITIONS OF THIS
	WARNING	
THE APPLICANT ACKNOWLEDGES THAT HE/SHE IS F THREATEN THE PUBLIC OR ADJACENT PROPERTIES	RESPONSIBLE TO ENSURE THAT ANY VARIANCE S AND COMPLIES WITH LOCAL, STATE, AND FEI	E DOES NOT DAMAGE OR DERAL REGULATIONS.
	DISCLAIMER	
THE COMMISSIONER'S COURT OF WALKER COUNTIABLE FOR DAMAGES OR LOSS RESULTING FROM RELIANCE UPON THE STATEMENTS AND EVIDER APPLICATION AND PRESENTATION TO COMMISSION	M THE GRANTING OF THIS VARIANCE. THIS VANCE SUPPLIED BY THE APPLICANT AND HI	ARIANCE IS GRANTED IN
Jacob Bryant	, do hereby acknowledge that I have review	wed the provisions, notices,
warnings and disclaimers stated above and that I understa Signature of Owner/Applicant	nd them, agree with them and intend to duly comply	Date
Lacob Bund		12-6-2022
	N VARIANCE BY COMMISSIONER'S COURT	
After careful consideration of the reason(s) for the r		t of Walker County, Texas
has determined that it is within the scope of the	variance procedures as outlined in the Wa	alker County Subdivision
Regulations to this reque	est for variance.	
Commissioner's Court Signature	Printed Name	Date
Signature of Owner/Applicant acknowledging conditions	after court action.	Date
Signature of Owner/Applicant acknowledging conditions	and, soun assen	

## WALKER COUNTY PLAT APPLICATION

If any section is not applicable to the proposed development project please mark that section "NA" All references to the Walker County Subdivision Regulations will be abbreviated WCSR in this document.

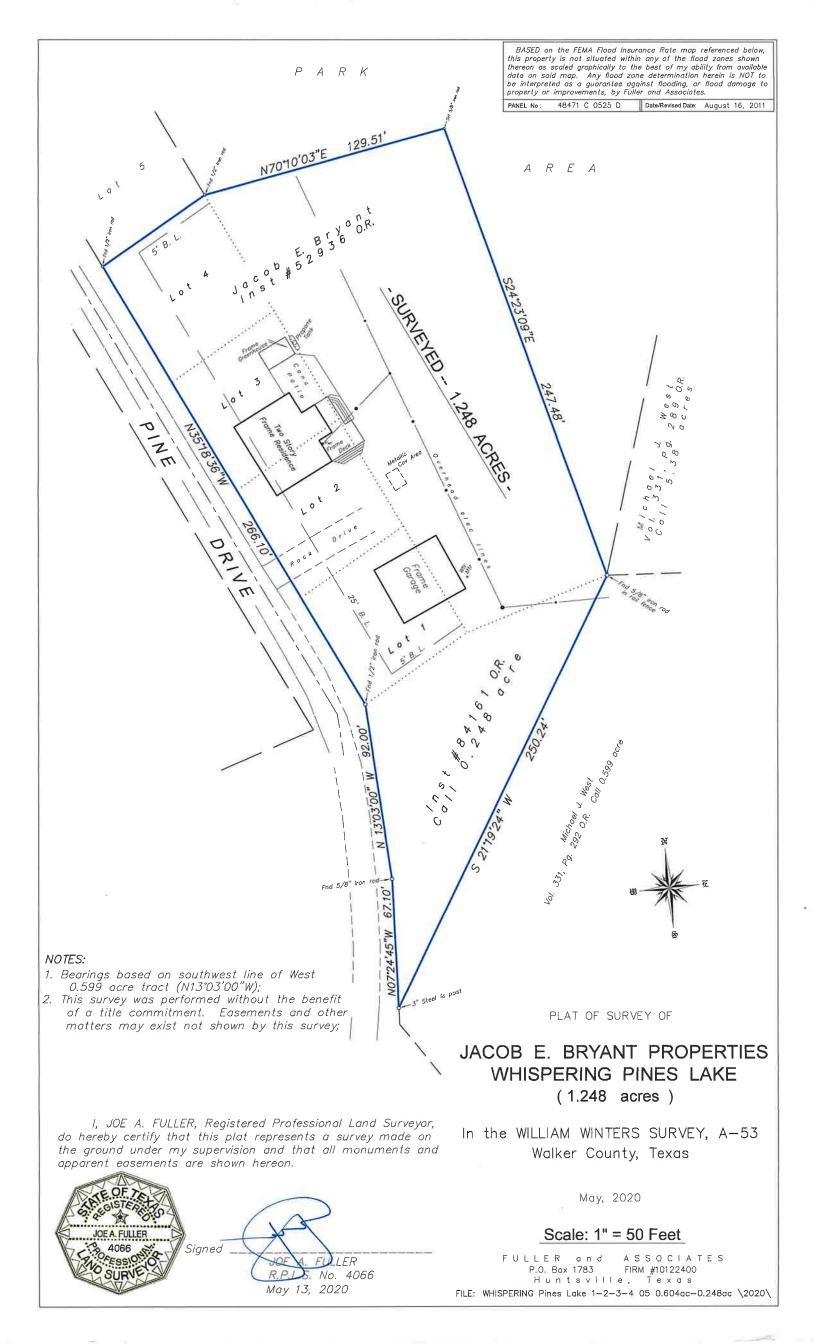
SECTION A - OV	WHER / APPLICANT INFORMATION	FOR COUNTY USE ONLY
A1. Property Owner's Last Name	A2. Property Owner's First Name	Application Number:
Bryant	Jacob	P#2022-046
A3. Mailing Address	•	Date of Submittal:
		Precinct Number:
City	State	ZIP Code
A4. Primary Telephone Number	A5. Alternate Phone Number	
		,,
A6. Email Address	A7. Name of Lienholder (If no lienho	older mark "None")
	None	
	SECTION B - PROFESSIONAL SERVICEsessional Engineer, Registered Professional Land	
individual is given authority to sign for, sub- In the case that the owner wishes to retropevelopment Office. If no Authorized Romer/Applicant. All correspondence, income to any listed Mailing Address or Electronic  B1. Name of Registered Professional Landau Surveyor (R.P.L.S.)	Mail account	mit this retraction in writing to the Planning and
Joe A Fuller	B4. Mailing Address of R.P.L.S.	
B3. Email of R.P.L.S.	Po Box 1783	
	Huntsville, Tx	
B5. Name of Professional Engineer	B6. Phone Number of P.E.	
a)		
B7. Email of P.E.	B7. Mailing Address of P.E.	
	·	
B9. Name of Authorized Representative	B10. Phone Number of Authorized I	Representative.
B11. Email of Authorized Representative	B12. Mailing Address of Authorized	Representative.

Page 1 of 3

Initials of Applicant jb

Informatie			RACT PROPERTY INFOI		ion		
C1. Is the property located within the	city limits of l	Huntsville, Ne	w Waverly, or Riverside?	Mark with "X")	*Yes	✓	No
*If the answer to C1 is "Yes" then the	applicant will	need to appl	y to the City having jurisdic	tion.			
C2. Is the property within two miles o	f the City of F	luntsville? (/\	Mark with "X")		*Yes	✓	No
*If the answer to C2 is "Yes" then the	applicant will	need to subr	nit any plat applications to	the City of Hunts	ville.		
C3. Is the property within 1/2 mile of	the City of Ne	ew Waverly?	(Mark with "X")		Yes	✓	No
The Abstract, Tract #, and Survey Nar from the Walker County Appraisal Dis property is in a platted subdivision iter mark these sections "NA"	strict the App	raisal District	Map or the most recent pr	operty tax staten	nent issued	for the propert	ty. If a
C4. Property Acreage C5 Appraisa \$771 - 00:	5-0-001	00	Survey Name William Wi	vters	3	C7. Abstract #	_
			nding Plat and Replat Appl	ications only.			
C8. Subdivision Name			C9. Lot #s	C11. Sec	tion #		
Wispering Pines			1 (1	IO. ock	I		
C12. Deed Record Filing Information set with an "X") If more than one trace	for Parent Tr t please indic	act (s) (WCD ate multiple o	R and WCOPR are the red leeds.	ord sets of the C	ounty Clerk	c - Mark the rec	ord
Volume / Document #	Page		Walker County Deed Re	ecords (WCDR) (	Generally b	pefore 1986)	
Inst. 52936		$\overline{\mathbb{R}}$	Walker County Official I	Public Records (\	NCOPR)		
Volume / Document #	Page		Walker County Deed Ro	ecords (WCDR)	(Generally b	pefore 1986)	
331	292		Walker County Official I	Public Records (\	WCOPR)		
Volume / Document #	Page		Walker County Deed R	ecords (WCDR)	(Generally b	pefore 1986	
			Walker County Official	Public Records (	WCOPR)		
Volume / Document #	Page		Walker County Deed R	ecords (WCDR)	(Generally b	pefore 1986	
			Walker County Official	Public Records (	WCOPR)		
Please of			APPLICATION TYPE type from the list below and	l mark with an "X			9 3,776
D3. X Re-Plat / Amending P D4. Exception Application The request for a guidance review is be requested by the owner/applicant application is outside the standard re awaiting the results of this review. Guidance Review will cease, and the released as part of the guidance review.	r (This application (This application (This application (This application)) SECTION only allowable below and a view timeline incomplete received are not to be	on (This application is required  E - REQUE e if an applicationized by s, however the during the (saults of the re-	for minor subdivisions with no cation is required to alter or all in order to obtain approval for ST FOR A GUIDANCE Ration is submitted incomplet the County. This review one applicant/ owner may produidance Review process	proposed infrastrumend a previously probability subdivisions excelled. The guidance of the submitted oceed to submit a completed apto the applicant.	platted subdi- pled from the ee review is documents a complete plication is Any deficie	or less lots.)  vision)  WCSR.)  voluntary and prior to a come application wis submitted the encies or comm	ithout in the nents
in their efforts to comply with the regu E1. The Developer/Owner does hereb of the application if the application is for	y voluntarily r	make a reque omplete.	st for a "Guidance Review"	Yes, a regue		No, a revi	

			- SUBDIVISION APPLIC			h - Out district		
E4 Origina		The # of Proposed Lots shall i	nclude any Reserve or Re F3. # of Proposed Lots			ne Subdivision) of Subdivision		
F1. Origina	al Acreage	F2. Original # 01 Tracts	10. # 011 10p0304 E0t3	14. 110000	od Marrie	, 0, 0454, 116, 61, 1		
		SECTION G - EN	GINEERING AND PROF	OSED IMPR	OVEME	NTS		-16
G1. Will th	e proposed	subdivision utilize a public wa	ter system?				Yes	√ No
		subdivision utilize individual o					Yes	√ No
G3. Will th WCSR?	ne proposed	I subdivision include the const	ruction of road, drainage, c	or other improv	vements	regulated by the	Yes *	√ No
G4. If the	answer to C	63 is "Yes" then what is the est	imated cost of construction	n of all regulat	ted impro	ovements?		
G5. If the	answer to C	93 is "Yes" then what is the ap	proximate length of all pro	posed roads ir	n linear f	eet?		
G6. Will th	ne proposed	subdivision access from or ac					Yes	√No
			RTIFICATIONS AND A					N. C.
hereby ce represents	ertify that the s my unders	dividual, am the legal owner or e information contained in this tanding, agreement, and acce	application is a true and ptance of the following iter	correct under ms:	r penalty	of law. The below	w signatur	e further
ар	plication for	is hereby given to Walker Co the purpose of inspection and	regulation related to this a	application and	the app	olicable regulations.		
to	comply with	d understand the requirements all the requirements therein.						1
pro aft sha res tha	3. The completion and acceptance of this application by Walker County in no way shall be construed as a guarantee that the proposed construction will be approved for installation. This application may be rejected as incomplete for 10 business days after the original submittal of the application at any point without any refund of the application fee. This includes that no refund shall be given for applications submitted incomplete or applications withdrawn. The applicant also recognizes that additional resubmittals, applications, or responses after the initial application may result in a fee increase to the original application fee, and that any increase in the fee must be paid when the additional submittal is submitted.							
ap un Co	plication an derstand th ounty Subdiv	on and acceptance of this ap d approval of the plat for filing at any approvals made related vision Regulations.	must be made in writing d to this application are m	prior to any su ade subject to	ubdivision the min	n of property or filir nimum requirement	ng of any p s of the V	olat. I Valker
ap Ov	proval und vner/Applica	riance is granted to the Walke er this application shall be ant is still fully responsible for c	construed to provide a compliance with said regula	waiver to cor ations.	mpliance	e with those regul	ations an	d the
lot ch in	the state of the s							
lia co ap ne	- which is the state of the complete and its complete and agents for any and all plains costs or							
40 on	to the section of the							
Signature	0.0 W (M)	yeur -	Date		ı	l Name b Bryant		
	TE OF Tex	s COU	NTY OF Walker		§			
Before me	Annet	te C. Olivica	a notary public or	this day perso	onally	Canaling Ann		
appeared to me) to to me that	De the pers	on whose name is subscribed the same for purposes and	to the forgoing instrument consideration there in expr	n to me ( or p and acknowle essed.	roved	Nota Com	ry Public, : nm. Expire	NERS OLIVE State of Tex s 04-28-20 24876036
Given und	Given under my hand and seal of officer this 8th Day of July , 2022							





To the Commissioner's Court of Walker County	Date	12/14/2022
Application is hereby made by MidSouth Electric Cooperative		_
to place Underground Fiber		
and/or perform the following described work Fiber	within the Right	of Way of that Walker
County road known as Walker Loop Road at	the following	approximate coordinates
(lat/long) 30°38'00" N 95°40'31" W .		
The exact location and extent of the proposed w	ork shall be as	shown on the attached
specifications and drawings.		

We will construct and maintain the line on the road right of way as shown on the attached drawing and in accordance with the rules, regulations and policies of Walker County, the Texas Department of Transportation (TXDOT), and all governing laws, including, but not limited to, the "Texas Engineering Practice Act," "Federal Clean Water Act," the "National Endangered Species Act," "Americans with Disabilities Act," and the "Federal Historic Preservation Act." Upon request by Walker County, we will submit to Walker County proof of compliance with all governing laws, rules and regulations before commencement of construction. Plans shall include the design, proposed location, vertical elevations, and horizontal alignments of the facility based on the department's survey datum, the relationship to existing highway facilities and the right of way line, traffic safety and access procedures, and location of existing utilities that may be affected by the proposed utility facility. The location and description of the proposed line and appurtenances is more fully shown by a complete set of drawings attached to this Utility Installation Request. We will give plans to Walker County for each future proposed modification or expansion to our facility and all Walker County to review and approve submittals prior to commencement of the work.

A new request may be required as a condition of approval.

Our organization will use Best Management Practices to minimize erosion and sedimentation resulting from the proposed installation, and we will re-vegetate the project area as indicated under "Re-vegetation Special Provisions."

Our organization will ensure that traffic control measures complying with applicable portions of the Texas Manual on Uniform Traffic Control Devices will be installed and maintained for the duration of this installation.

When installing our utility on controlled access facilities, we shall conform to the Texas Transportation Code, Title 6 Roadways, Chapter 203, Subchapter C, Control of Access, §203.031. We shall limit access for servicing this installation to access via (a) frontage roads where provided, (b) nearby or adjacent public roads or streets, (c) trails along or near the highway right of way lines, connecting only to an intersecting road; from any one or all of which entry may be made to the outer portion of the highway right of way for normal service and maintenance operations. Our rights of access to the through traffic roadways and ramps shall be subject to the same rules and regulations that apply to the general public.

It is expressly understood that Walker County does not purport, hereby, to grant any right, claim, title or easement in or upon this road; and it is further understood that Walker County may require us to relocate this line and any associated infrastructure, at the total expense of the applicant/utility owner, by giving thirty (30) days written notice prior to the date that the relocation shall be completed. We understand that a new Request will be required for the relocation.

We will notify Walker County prior to commencement of any routine or periodic maintenance which requires pruning of trees within the highway right of way, so that Walker County may provide specifications for the extent and methods to govern in, but not limited to, trimming, topping, tree balance, type of cuts, painting cuts and clean up.

Our installation shall not damage any part of the roadway structure or associated appurtenances and we will make adequate provisions to minimize inconveniences to the traveling public, and adjacent property owners. In the event we fail to comply with any or all of the requirements as set forth herein, the County may take such action as it deems appropriate to compel our compliance.

(month/day/yr)

Additional Provisions and Requirements (for TxDOT input only)
General Special Provisions:  ☑ Are attached.  ☐ Are not attached
As-built Plans/Certifications of Construction:  □ Are required and shall be certified as accurate by an authorized representative of the company.  □ Are required and shall be signed and sealed by a State of Texas Licensed Professional Engineer.  □ Certification that utility was installed as approved  □ Are not required
Re-vegetation Special Provisions: In order to minimize erosion and sedimentation resulting from the proposed installation, the project area will be re-vegetated:  ⊠In accordance with TxDOT's Standard Specification Item 164 which specifies the appropriate grass seed mix to be used, or:  □as indicated on the attachment.
The Precinct Commissioner or his/her representative is to be notified 48 hours prior to beginning construction.
If approved, we understand that we will assume all risks associated with this installation within the Walker Cour

right of way. These risks include, but are not limited to, injuries to our workers, damage to contiguous utility lines that may be in the area, injuries or damage resulting from our failure to properly install and maintain the line as shown on plans.

We understand Walker County may place additional provisions and requirements as listed above, based upon, but not limited to, the type of utility being installed, local site conditions, soil types and traffic.

We acknowledge that this Utility Installation Request approval expires on the 91st calendar day from the date of issuance, unless otherwise approved, if we do not begin our installation by this date. If we do not begin our installation within this time frame and still wish to continue, we will resubmit our request in accordance with the prevailing governing laws, rules, regulations and policies at the time of resubmission.

By signing as/for the requestor below, I certify that I am authorized to represent the requestor, that I agree to the provisions and requirements included in this Utility Installation Request, and our commencement of construction will further attest to our review and acceptance of said additional provisions and requirements

Requestor:	Approved By:
Date: 12/14/2022	Date:
By: Jeramy Pampell	Ву:
Jeramy Pampell Digitally signed by Jeramy Pampel Date: 2022.11.16 13:41:07 -06507	Signature:
Title: Vice President	Title:
Address: 916 SW Parkway East	Address:
College Station, TX 7784	
Telephone: 979.764.8356	Telephone:

# General Special Provisions Walker County Utility Installation Request

- 1. <u>Effective Period of Permit Approval</u>. All approvals are void if installation does not begin within 3 months from the date of approval.
- 2. ALL UTILITY INSTALLATIONS SHALL CONFORM WITH THE STANDARDS DESCRIBED IN TITLE 43, PART 1, CHAPTER 21, SUBCHAPTER C, OF THE TEXAS ADMINISTRATIVE CODE (UTILITY ACCOMODATIONS)
- 3. A FINAL AS-BUILT SET OF PLANS SHALL BE SUBMITTED AND CERTIFIED BY A PROFESSIONAL ENGINEER, INCLUDING A CERTIFICATION THAT THE INSTALLATION WAS COMPLETED IN CONFORMANCE AND COMPLIANCE WITH THE ABOVE DESCRIBED SECTIONS OF THE TEXAS ADMINISTRATIVE CODE.
- 4. <u>Minimum Depth of Cover.</u> The minimum depth of cover for any underground utility line shall be as shown on the attached "Minimum Depth of Cover Table" or attached schematic whichever is deeper.
- 5. <u>Locating Utilities.</u> Applicant shall take all reasonable and necessary steps to locate existing utilities and address them in accordance with all state, local, and or federal requirements.
- 6. <u>Aerial Electric Lines.</u> Aerial electric power lines crossing over the highway shall be installed and maintained a minimum of twenty-two (22) feet above the surface of the traffic lanes. For electric power lines with greater than 50,000 volts, the clearance shall be increased in accordance with National Electric Safety Code as published in the National Bureau of Standards, Handbook 30.
- 7. <u>Aerial Communication Lines.</u> Aerial communication lines crossing over the highway shall be installed and maintained a minimum of eighteen (18) feet above the surface of the traffic lanes.
- 8. Open Trenching or Boring Operations for Utility Work. To insure that disturbed areas are restored and revegetated properly and in a reasonable period as the utility work progresses, the following requirements shall apply:

Unless otherwise approved or directed by Walker County, the length of "active utility work" shall not exceed one mile in length. "Active utility work" shall be defined as the total disturbed area measured from the beginning of open trenching to the point where backfill has been compacted, the right of way has been restored to its original line and grade, any structures damaged by the utility work have been repaired, erosion control measures have been placed and are being properly maintained, approved topsoil seed and compost has been placed uniformly, and watering for revegetation has begun. "Active utility work" also includes areas of bore pits and receiving pits; however it does not include the underground boring length. When any area of "active utility work" is substantially complete (i.e., watering of seeded areas has begun), that area is no longer considered to be "active utility work", and "active utility work" can proceed further within the right of way as long as it does not exceed the above appropriate limits. Areas where Walker County determines that the "active utility work" is substantially complete does not mean that Walker County considers that area totally acceptable and complete.

9. Backfill, Erosion Control, and Re-vegetation. All excavations within the right-of-way (ROW) and not under pavement shall be backfilled by tamping in six (6) inch horizontal layers to the density of the surrounding soil or as directed by the Walker County. All surplus material shall be removed and the ROW shall be reshaped to its original condition or better. This work shall be done in accordance with Item 164 of the Texas Department of Transportation (TxDOT) "Standard Specifications for Construction and Maintenance of

Initial of Applicant\_JKP

1 | Page

# General Special Provisions Walker County Utility Installation Request

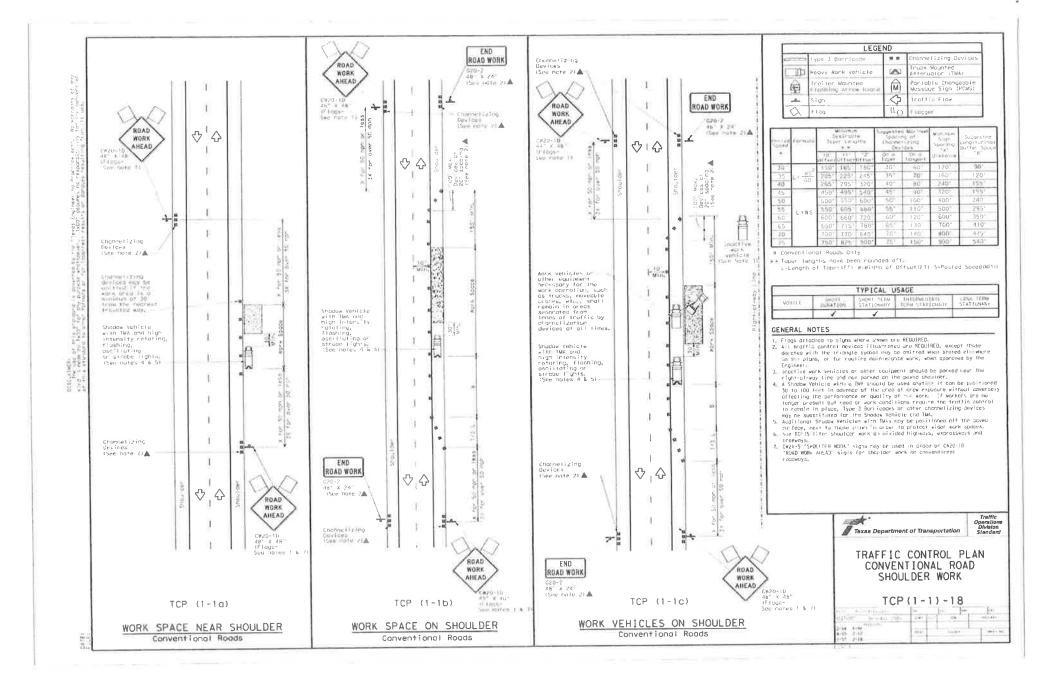
Highways, Streets, and Bridges." Erosion control measures such as soil retention blankets, rock berms, and silt fences shall be installed and maintained until permanent perennial vegetation is established over 70% of the disturbed area. The amount of revegetation is considered acceptable when it resembles the amount of existing vegetation in the surrounding undisturbed area. If erosion control and/or storm water run-off requirements of other State, Federal, or Local Jurisdictions exceed these requirements then the more stringent requirements would prevail.

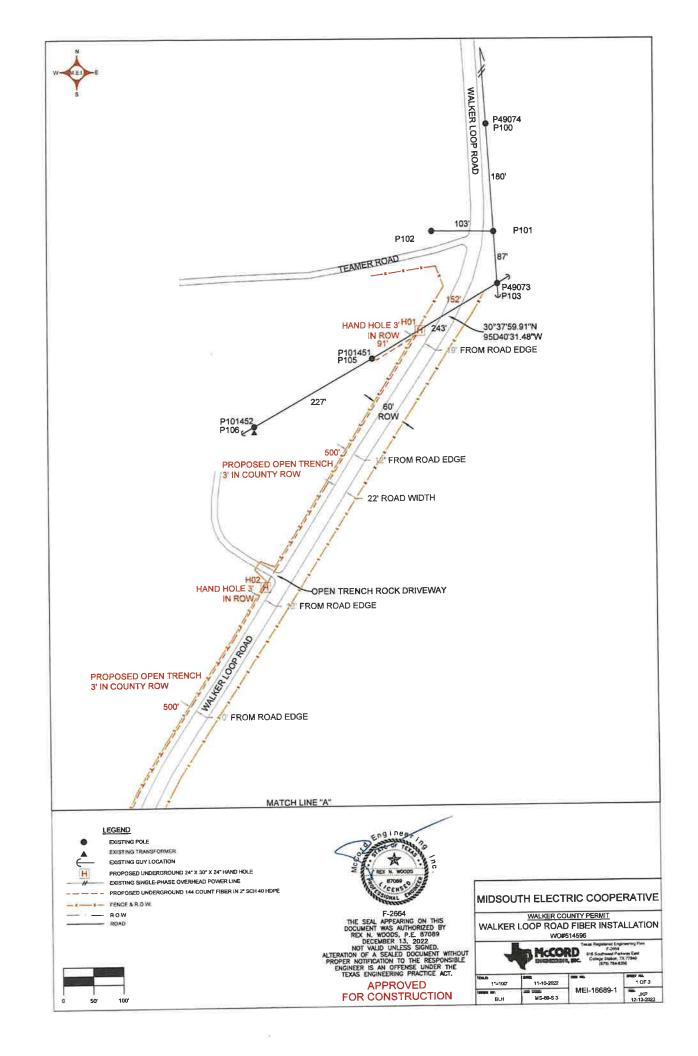
- 8. Boring and Jacking. Boring and jacking of utility lines shall be provided as specified below.
  - a. <u>Under Paved County Roads</u> Utility lines to be constructed under an existing paved (asphalt pavement or concrete pavement) county road shall be installed by boring and jacking with casing.
  - b. <u>Under Paved Driveways.</u> Utility lines to be constructed under existing paved (asphalt pavement or concrete pavement) driveways shall be installed by boring and jacking methods, unless the utility company furnishes Walker County with a "Letter of No Objection" signed by the driveway owner to allow open cutting of their driveway.
  - c. <u>Under Unpaved County Roads or Driveways</u>. Utility lines to be constructed under an existing unpaved county road or under existing unpaved driveways may be open cut only when approved in advance by Walker County, and after the driveway owner is notified. Any open cuts should be repaired and restored to a minimum of pre-cut conditions as quickly as possible so as not to impact road and/or driveway traffic. Applicant shall take all necessary precautions to insure safety as site of open cut.
  - d. Under Desirable Trees. To preserve the natural environment and protect wildlife habitat, boring may be required when underground utility lines are to be placed within the "protected root area" of "desirable trees" located within road ROW or on adjacent property. The "protected root area" is defined as the area between the tree trunk and five (5) feet from the tree trunk or 2/3 the actual distance from the tree trunk to the dripline, whichever is greater. "Desirable trees" include (but are not limited to) any tree with a trunk diameter of six (6) inches or more that Walker County or the Owner of the tree determines to be of environmental and aesthetic value. Boring under all "desirable trees" will be required with the following exceptions: (1) in areas where planned highway construction/maintenance work would require tree removal, or (2) when the Walker County approves of open trenching for the utility installation or removal of the tree.
- 9. Manhole Covers. All manhole covers shall be installed flush with the ground surface.
- 10. Traffic Control. Traffic control in utility work zones shall conform to applicable requirements of the "Texas Manual on Uniform Traffic Control Devices for Streets and Highways, Part VI". Adequate signs, barricades, flag personnel, etc. shall be erected and maintained in complete compliance with the Texas Manual on Uniform Traffic Control Devices. Any travel lane closures are only permitted after a traffic control plan is approved by Walker County prior to beginning any construction activities.
- 11. Sunday or Holiday Work. Sunday or Holiday work will not be permitted for the installation of any utility line unless directed or approved by Walker County.
- 12. The approval of this utility installation request shall in no way be taken as a waiver or variance to any other existing local, state, or federal permits or requirements that may be required by the applicant.

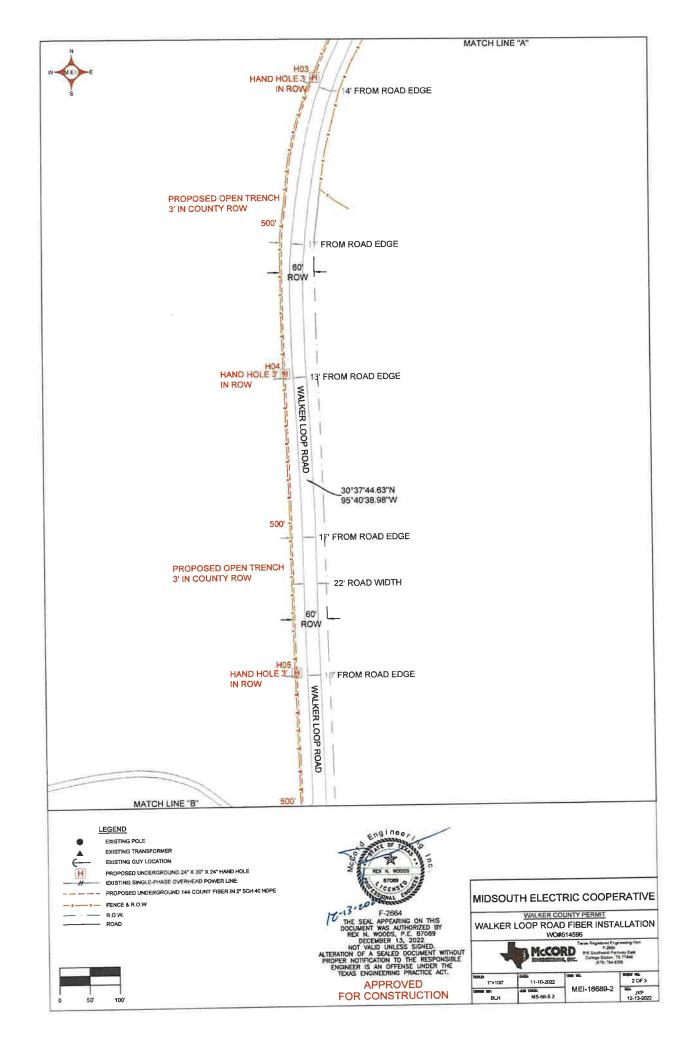
<b>2</b>   P a g e	Initial of Applicant JKP
	Initial of Applicant

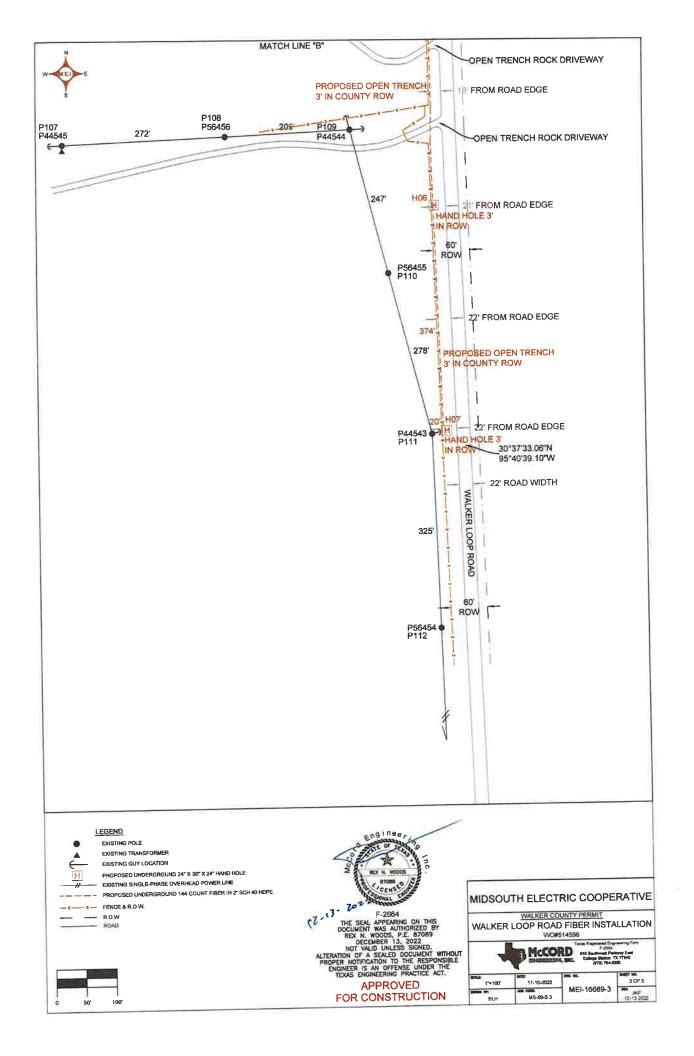
# General Special Provisions Walker County Utility Installation Request

- 13. Protection of Trees and Landscaping. Existing trees and landscaping within the ROW shall be protected as specified below. Removal of trees from the ROW will require prior Walker County approval.
  - a. <u>Tree Pruning.</u> All tree pruning within the ROW will require prior TxDOT approval. All oak trees that are damaged or pruned shall be treated with an approved tree wound dressing within 20 minutes of causing the damage or making the pruning cut.
  - b. <u>Landscaping</u>. When existing landscaping is located near the proposed utility alignment, the utility contractor shall notify Walker County and the owner of the landscaping prior to the proposed utility installation. Walker County may require underground utilities to be installed by: (1) boring under such landscaping or (2) by replacement of specific landscape items. Landscaping is defined as, but not limited to, trees, shrubs, grass, irrigation lines, landscape pavers, sidewalks, and other ROW improvements.









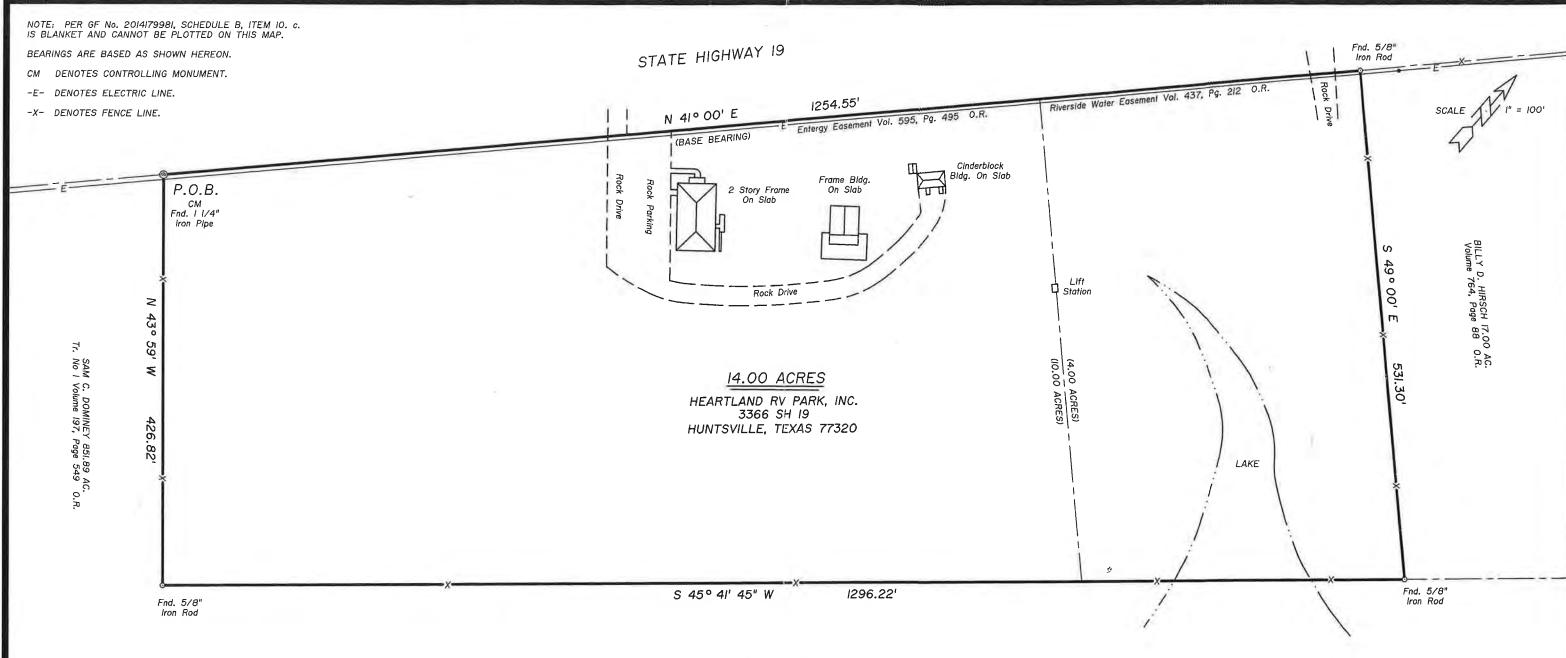
# VARIANCE REQUEST TO THE SUBDIVISION REGULATIONS OF WALKER COUNTY, TEXAS

Copy all pages of this form and all attachments for (1) community official, (2) building owner. If any section is not applicable to the proposed development project please mark that section "NA"

	NFORMATION	FOR COUNTY USE ON	Υ	
SECTION A - PROPERTY INFORMATION		Application Number:		
A1. Property Owner's Name  Herschel Brannece		P-2022-0	43	
A2. Property Owner's Street Address		Date of Submittal: 12-19-21	2	
City	State	ZIP Code		
	Tx	77326		
A3. Property Owner's Email Address  A5. Property Description of Parent Tract (Lot and Block	A4. Property Owner's Telep	phone Number		
14.00 ACRES OF LAND IN WHENET COUNTY TOXAS A.00 KCRC TRACTS COUNTY DREDS FECCADED IN YOUR	THE JOHN J. POLTER!  AND BEING THOSE CE  AD TO HEALTLAND RY  ME 554, PAGE 173	PARK, INC. BT AND VOL 764, PA		
(For projects involving multiple map panels an add	ditional sheet may be listed below or i	ncluded in an additional at	tachment)	
B1. Survey and Abstract  Total J. Police A - 38	B2. Tax ID Number(s) of Parent Tra	ct B3. Deed V	/olume/Pag	
B4. Existing or Proposed Name of Subdivision	B5. Is the application for a division of Subdivision? (Yes/No)	a lot in an Existing Platted		
MA	20	20		
THE ABOVE NAMED APPLICANT DOES HEREBY M FOR A VARIANCE TO THE REGULATORY REQU TEXAS.	IAKE AN APPEAL TO THE COMMISSIC IREMENTS OF THE SUBDIVISION RE	ONER'S COURT OF WALKE EGULATIONS OF WALKER	R COUNTY,	
SECTION Please list any supporting documents o	ON C – LIST OF ATTACHMENTS r submittals included with the varian	ce request as attachment	s.	
	on of Attachment(s)		Exhibit #	
C.1 TWO EXHIBITS SHOWING	A 10.961 AC AND A 3	1037 AL TRACT	124	
C.2				
C.3				

(All V	SECTION D -VARIANCE REQUEST  ariance requests need to include the specific variance along with the Section(s) of the Regulation to which they apply)
D.1	A Variance is requested to Section(s) of the Subdivision Regulations of Walker County, Texas as follows:
	APPLICANTS REQUEST A WAINER TO THE WALKER COONTY
	SUBDIVISION REGULATIONS IN THEIR ENTERETT, AND REQUEST
	THE COMMISSIONERS COURT APPROVE THE DIVISION OF PROPERT
	REINTE TWO TRACTS OF 10:961 AND 3:037 AS RECORDED UNDER INST#
s variance re	ECTION E – APPLICANT'S JUSTIFICATION AND PRESENTATION FACTORS EFFECTING VARIANCE quests to the Walker County Subdivision Regulations need to be included along with the Section(s) of the Regulation to which they appl
E.1	Is the variance related to the design or construction of improvements to be constructed within the subdivision?  Yes No
	If "Yes" the request should be accompanied by an engineer's opinion and justification for the variance.
E.2	Please explain the cause or reason the variance is being requested (attach additional pages as "Exhibit E.2"):
	THE 10,961 ACRE TRACT WAS CONVEYED TO BREDTT.
	INVESTMENT GROUP AUGUST IS ZOEZ AND THE REMAINING
	3.637 ACRC TRACT TRUBER + TO THE HERSHEL BRANNEN
	(APPELEANT) INCLUDING A SINGLE FAMILY HOME. THE OFICINAL
	SURVEY PLAT PREPARED IS INSUFFICIENT TO MEET THE
<b>.</b>	POINT A NEW SUFFICIENT NEW NEED TO BE CHEAGED TO PECKENTE THE PLAT.  Will the failure to grant the variance requested result in any exceptional hardship to the applicant?
⊏.3	Yes No
	If yes please explain below:
	A LARGE AMOUNT OF FUNDS LIEUD NEED TO BE EXPENDED
	TO CREATE A NEW PLAT MEETING THE STANDARDS BOTH TRACTS
E.4	Does the applicant propose any additional conditions, mitigation, or additional requirements not addressed within the Walker County Subdivision Regulations that will or have been met by the applicant as a condition of the variance being granted?
	YesX No Please list the additional measures below.
	AN EXERPTION AFFIDAVIT HOTTHY THIS VARIANCE COURS BE
	FILED OF RECORD TO DOCUMENT THE YARIAME

SECT	ION F -VARIANCE(S) GRANTED	
F.1 A VARIANCE TO THE WALKER COUNT	Y SUBDIVISION REGULATIONS IS GR	ANTED AS FOLLOWS:
F.2 THE FOLLOWING CONDITIONS ARE AT	TTACHED TO THE VARIANCE:	
SECTION G - NOTICE	, ACKNOWLEDGEMENT, AND CER	TIFICATIONS
	NOTICE	O LIEDELL AND ANY OTHER CONDITIONS
ALL DEVELOPMENT MUST BE IN STRICT COMPLI STATED WITHIN THE APPLICATION OR DURING RESULT IN THE IMMEDIATE SUSPENSION OR CO VARIANCE MAY ALSO RESULT IN THE COMMISSION	THE PRESENTATION TO COMMISSE	IOI ATION OF THE CONDITIONS OF THIS
	WARNING	
THE APPLICANT ACKNOWLEDGES THAT HE/SHE THREATEN THE PUBLIC OR ADJACENT PROPER	TIES AND COMPLIES WITH ECONE,	TATE, AND FEDERAL REGULATIONS.
THE COMMISSIONER'S COURT OF WALKER COLIABLE FOR DAMAGES OR LOSS RESULTING INTERPOLATION THE STATEMENTS AND EVAPPLICATION AND PRESENTATION TO COMMISSION.	VIDENCE SUPPLIED BY THE APPLESSIONERS COURT.	ICANT AND HIS/HER AGENTS IN THE
I,	de bereby acknowledge	that I have reviewed the provisions, notices, not to fully comply with them.
warnings and disclaimers stated above and that i und Signature of Owner/Applicant	erstand them, agree with them are	Date
-/		
Herself In escrion H - ACTIO	ON ON VARIANCE BY COMMISSION	ER'S COURT
After careful consideration of the reason(s) for has determined that it is within the scope of	the request of variance, the Commi	ssioner's Court of Walker County, Texa
Regulations tothis	request for variance.	
Commissioner's Court Signature	Printed Name	Date
Signature of Owner/Applicant acknowledging cond	itions after court action.	Date



SAM C. DOMINEY 851.89 AC. Tr. No. I Volume 197, Page 549 O.R.

TO THE LIEN HOLDER AND/OR THE OWNER OF THE PREMISES SHOWN, AND TO ANY TITLE GUARANTY COMPANY:

I, JAMES K. JOHNSON, REGISTERED PROFESSIONAL LAND SURVEYOR No. 1962, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY SHOWN HEREON, IS CORRECT AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS, OR RIGHT OF WAYS, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

SURVEYED: MARCH 18, 2014

JAMES K. JOHNSON, R.P.L.S. No. 1962, TEXAS FIRM REGISTRATION No. 10128800



#### SURVEY PLAT SHOWING

14.00 ACRES OF LAND AS SITUATED IN THE JOHN J. PORTER SURVEY, A-38, WALKER COUNTY, TEXAS, AND BEING THOSE CERTAIN CALLED 10.0 AND 4.0 ACRE TRACTS CONVEYED TO HEART-LAND RV PARK, INC. BY DEEDS RECORDED IN VOLUME 554, PAGE 173 AND VOLUME 764, PAGE 85, RESPECTIVELY, OF THE OFFICIAL RECORDS OF SAID WALKER COUNTY, TEXAS.

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Livingston surveying a mapping

P.O. BOX 900, LIVINGSTON, TEXAS 77351 936/327-3816

