



**PLANNING AND ZONING COMMISSION  
REGULAR MEETING**

102 E. Chihuahua St.  
La Vernia, Texas 78121  
La Vernia City Hall Council Chambers

**IN PERSON & BY VIDEO CONFERENCE**

June 1, 2021  
6:30 p.m.

**There exists a public health emergency related to the COVID-19 VIRUS that necessitates this meeting of the planning and zoning commission to take place via video conference in addition to in person pursuant to Government Code Chapters 551.127, as modified by executive order of the Governor.**

Join virtual using this link:

<https://v.ringcentral.com/join/827449984>

Meeting ID: 827449984

Or dial:

+1 (650) 4191505 United States (San Mateo, CA)

Access Code / Meeting ID: 827449984

A recording of the meeting will be made and will be available to the public in accordance with the Open Meetings Act.

**AGENDA**

**1. Call to Order**

**2. Invocation, Pledge of Allegiance and Texas Pledge**

**3. Citizens to be Heard**

*(At this time, citizens who have filled out a registration form prior to the start of the meeting may speak on any topic they wish to bring to the attention of the governing body so long as that topic is not on the agenda for this meeting. Citizens may speak on specific agenda items when that item is called for discussion. During the Citizens to be Heard section no commission action may take place and no commission discussion or response is required to the speaker. A time limit of three minutes per speaker is permitted; the commission chairman may extend this time at their discretion)*

**4. Consent Agenda**

*(All consent agenda items are considered routine by Planning & Zoning and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner requests an item be removed and considered separately.)*

**A.** Approve minutes from April 6, 2021 – Regular Meeting

**5. Public Hearing/Discussion & Action**

**A.** Discuss and consider action on a minor plat located at 15010 US Hwy 87 W, Lot 101B.

**B.** Discuss and consider action on a minor plat located at 525 Dry Hollow, Lot 159 (Lot

15 Blk 32)

## 6. Commissioner and Staff Requests for Future Agenda Items

## 7. Adjourn

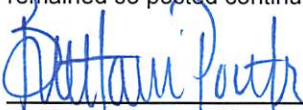
### DECORUM REQUIRED

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

The Planning and Zoning Commission for the City of La Vernia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.087 (Economic Development), and any other provisions under Texas law that permits a governmental body to discuss a matter in closed executive session.

The City of La Vernia Planning and Zoning Commission meetings are available to all persons regardless of disability. This facility is wheelchair accessible parking spaces are available. Requests for accommodations, should you require special assistance, must be made 48 hours prior to this meeting. Braille is not available. Please contact the City Secretary at (830) 779-4541 or email [bporter@lavernia-tx.gov](mailto:bporter@lavernia-tx.gov).

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above named La Vernia Planning and Zoning Commission is a true and correct copy of said Notice and that I posted true and correct copy of said Notice on the bulletin boards, of the City Hall of said City of La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **May 26, 2021 at 4:30 P.M.** and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.



\_\_\_\_\_  
Brittani Porter, City Secretary



**PLANNING AND ZONING COMMISSION  
REGULAR MEETING**

102 E. Chihuahua St.  
La Vernia, Texas 78121  
La Vernia City Hall Council Chambers

**IN PERSON & VIRTUAL CONFERENCE**

May 4, 2021  
6:30 p.m.

**Minutes**

1. **Call to Order** – Chairman Bake called the meeting to order at 6:32 PM and declared a quorum, all members were present.
2. **Invocation, Pledge of Allegiance and Texas Pledge** – Invocation was led off with the Lord’s Prayer and all in attendance recited the Pledge of Allegiance and Texas Pledge.
3. **Citizens to be Heard** – there were no citizens to be heard.

**4. Consent Agenda**

*(All consent agenda items are considered routine by Planning & Zoning and will be enacted by one motion. There will be no separate discussion of these items unless a Commissioner requests an item be removed and considered separately.)*

- A. Approve minutes from April 16, 2020 – Joint Meeting

**MOTION:** Commissioner Tanneberger makes a motion to approve the minutes as presented, seconded by Commissioner Robles. **Motion passes: 3-0.**

**5. Public Hearing/Discussion & Action**

- A. Discuss and consider recommendation to City Council on the amendment of Chapter 38- Zoning Article III Section 38-304 Additional Use Regulation (6). *Swimming pool (Private or HOA):* Swimming pools shall be located within the required side or rear yards provided, however, that a pool shall not be located closer than eight feet to any property line or utility easement.

Mr. Bake stated the concern was having a pool 8ft from an easement restricting a lot of the smaller lots.

**MOTION:** Commissioner made a motion to recommend to City Council that a pool shall not be located closer than eight feet to any property line, seconded by Commissioner Tanneberger. **Motion passes: 3-0.**

**6. Items Specific to Future Line Items on the Agenda**

- **Impact Fees** – would include sewer, water, drainage and storm water

- 7. Adjourn** – Commissioner Robles made a motion to adjourn the meeting, seconded by Commissioner Tanneberger. Meeting was adjourned at 6:42 PM and all members were in favor.

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Brittani Porter, City Secretary

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Gordon Bake, Chairman





APPLICATION FOR LAND SUBDIVISION (PLAT)

102 E. Chihuahua Street
P.O. Box 225
La Vernia, TX 78121
(830) 779-4541
bporter@lavernia-tx.gov

CHECK ONE: [ ] Master Plan [ ] Prelim./Final Plat [ ] Prelim. Plat [ ] Final Plat [ ] Replat [ ] Amended [x] Minor

1. PROPOSED SUBDIVISION NAME: HEB - La Vernia 1.86 Acres UNIT NO. 1

LOCATION DESCRIPTION/NEAREST INTERSECTION: Hwy 87/FM 1346

ACREAGE: 1.8634 54.404 NO OF LOTS: EXISTING 1 PROPOSED 2

REASON FOR PLATTING/REPLATTING Surface parking lot to serve adjacent HEB store

2. OWNER/APPLICANT\*: H-E-B, LP

(\* If applicant is person other than owner, a letter of authorization must be provided from owner.\*)

ADDRESS: 646 South Flores, San Antonio, TX

Telephone: 210-938-0722 Fax: N/A Mobile: N/A Email: strimple.kathy@heb.com

3. LICENSED ENGINEER/SURVEYOR: Chad Respondek, PE; Balanced Site Design/ Adrian Reyes, RPLS; UP Engineering + Surveying

MAILING ADDRESS: 12950 Country Parkway Ste. 150

TELEPHONE: 210-844-5023 Fax: N/A Mobile: 210-844-5023 Email: chad@balancedsitedesign.com

LIST ANY VARIANCE REQUESTED: N/A

REASON FOR REQUEST (List any hardships): N/A

4. PRESENT USE OF THE PROPERTY Undeveloped CURRENT ZONING: C-2

5. CITY LIMITS: [x] IN [ ] OUT IS ANY PART OF THE PROPERTY IN A FLOODPLAIN? [x] YES [ ] NO

6. Is the property subject to any liens, encumbrances, or judgments? If so, give details. (Provide separate sheet if needed.) Permission from any lien holders and/or removal of any encumbrances or judgments will be necessary prior to filing of said plat with the County Clerk's office.

REQUIRED ITEMS FOR SUBMITTAL PACKAGE

- [ ] Completed application, including signature of owner/applicant and signed waiver.
[x] Copy of deed showing current ownership.
[x] 7 copies of the plat, collated and folded so that the subdivision name is visible.
[x] 2 copies of the preliminary plan of the water system showing the approximate location and size of onsite and offsite existing and proposed water lines and fire hydrants; sewer system; storm sewer and preliminary drainage plan.
[ ] Current deed restrictions for Vacating Plats, Replats, and Townhouse and Zero Lot Line Subdivisions.
[x] Survey showing any existing structures on the subject property.
[ ] List of street names approved by the appropriate county.

PLEASE READ "IMPORTANT NOTES" ON THE REVERSE SIDE OF THIS APPLICATION

I agree to comply with all platting and subdivision requirements of the City of La Vernia. I understand that the plat will NOT be forwarded to the Planning and Zoning Commission unless staff comments are satisfactorily addressed by the plat correction due date. I voluntarily waive my right to request a certificate stating the date the plat was filed and that the Planning and Zoning Commission failed to act on the plat within thirty days. I do not object to consideration of the plat on (date of Planning and Zoning Commission meeting). This waiver expires after (date of the Planning and Zoning Commission meeting). (The waiver statement is not applicable to Minor Plats.)

Kathy Strimple

Kathy Strimple

May 11, 2021

Signature of Owner/Applicant Printed Name of Owner/Applicant

Date

(If applicant is person other than owner, a letter of authorization must be provided from owner.)

Signature indicates authorization for plat application and acceptance of waiver statement.

### APPLICATION FEES

<b>Overall Development Concept Review Fee</b>	\$50 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots, but intended for apartments, townhouses, commercial and/or industrial use.
<b>Preliminary Plat Review</b>	\$50 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots
<b>Final Plat Review Fee</b>	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots.
<b>Minor Subdivision Plat</b> <b>\$79.73</b>	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots.
<b>Vacating a Plat or Replatting</b>	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots.
<b>Plat Amendment</b>	\$100
<b>Engineering Fees Review</b>	To be paid by the developer or property owner before the final plat approval is made by the city.
<b>Changes or request for further reviews from the developer or property owner by the City Engineer</b>	Shall be paid by the developer or property owner at the standard rates charged by the City Engineer before the final plat approval is made by the City.
<b>Legal Fees</b>	Shall be paid by the City for legal fees incurred. The subdivider shall reimburse the City prior to the final plat approval by the City.
<b>Variance Requesting Relief from the Subdivision Ordinance</b>	\$50

**IMPORTANT NOTES:**

- All staff comments must be addressed by the plat correction due date. If not, the plat will NOT be forwarded to the Planning and Zoning Commission until all staff comments have been satisfied.
- For plats on TxDOT right-of-way, it is highly recommended that a permit be submitted to TxDOT prior to submitting the plat application.
- Engineering and legal fees shall be paid to the city prior to the final plat approval.
- The following items must be provided when submitting an approved plat for recordation.
  - Tax certificate showing that no taxes are currently due or delinquent against the property.
  - Three original mylars.
  - Twelve blue line copies for Wilson County 9-1-1 Addressing in 24 X 36 inch or 24 X 18 inch format.
  - One 11 X 17 inch blue line copy.
  - An electronic copy in .pdf in 24 X 36 inch or 24 X 18 inch format and in 11 X 17 inch format.
  - Recording fee. Checks should be made out to Wilson County Clerk.

**FOR OFFICE USE ONLY:**

Date Application Fee Received: \_\_\_\_\_ Received By: \_\_\_\_\_

Receipt No. \_\_\_\_\_ Cash/Check No. \_\_\_\_\_ Amount Recd. \$ \_\_\_\_\_

\_\_\_\_\_ 7 copies \_\_\_\_\_ street name appr. list \_\_\_\_\_ TxDOT approval letter

\_\_\_\_\_ letter of authorization \_\_\_\_\_ proof of ownership \_\_\_\_\_ HOA document

Plat review meeting date: \_\_\_\_\_ Planning and Zoning Commission meeting date: \_\_\_\_\_





GF NO. 4781NB TRINITY TITLE OF TEXAS  
 ADDRESS: 14660 US HIGHWAY 87 WEST  
 LA VERNA, TEXAS 78121  
 BORROWER: TONY STASHY

THIS PROPERTY DOES NOT LIE WITHIN THE  
 100 YEAR FLOOD PLAIN AS ESTABLISHED  
 BY THE U.S. DEPT. OF HOUSING & URBAN  
 DEVELOPMENT.  
 COMMUNITY/PANEL NO. 48493C 0150 C  
 MAP REVISION: 11/26/2010  
 ZONE A

BASED ONLY ON VISUAL EXAMINATION OF MAPS  
 INACCURACIES OF FEMA MAPS PREVENT EXACT  
 DETERMINATION WITHOUT DETAILED FIELD STUDY

A SURFACE INVESTIGATION  
 WAS BEYOND THE SCOPE OF THIS SURVEY  
 NOTES EASEMENT TO SOUTHWESTERN BELL TELE. CO.  
 SET AS PER VOL. 412, PG. 227 DRWG.

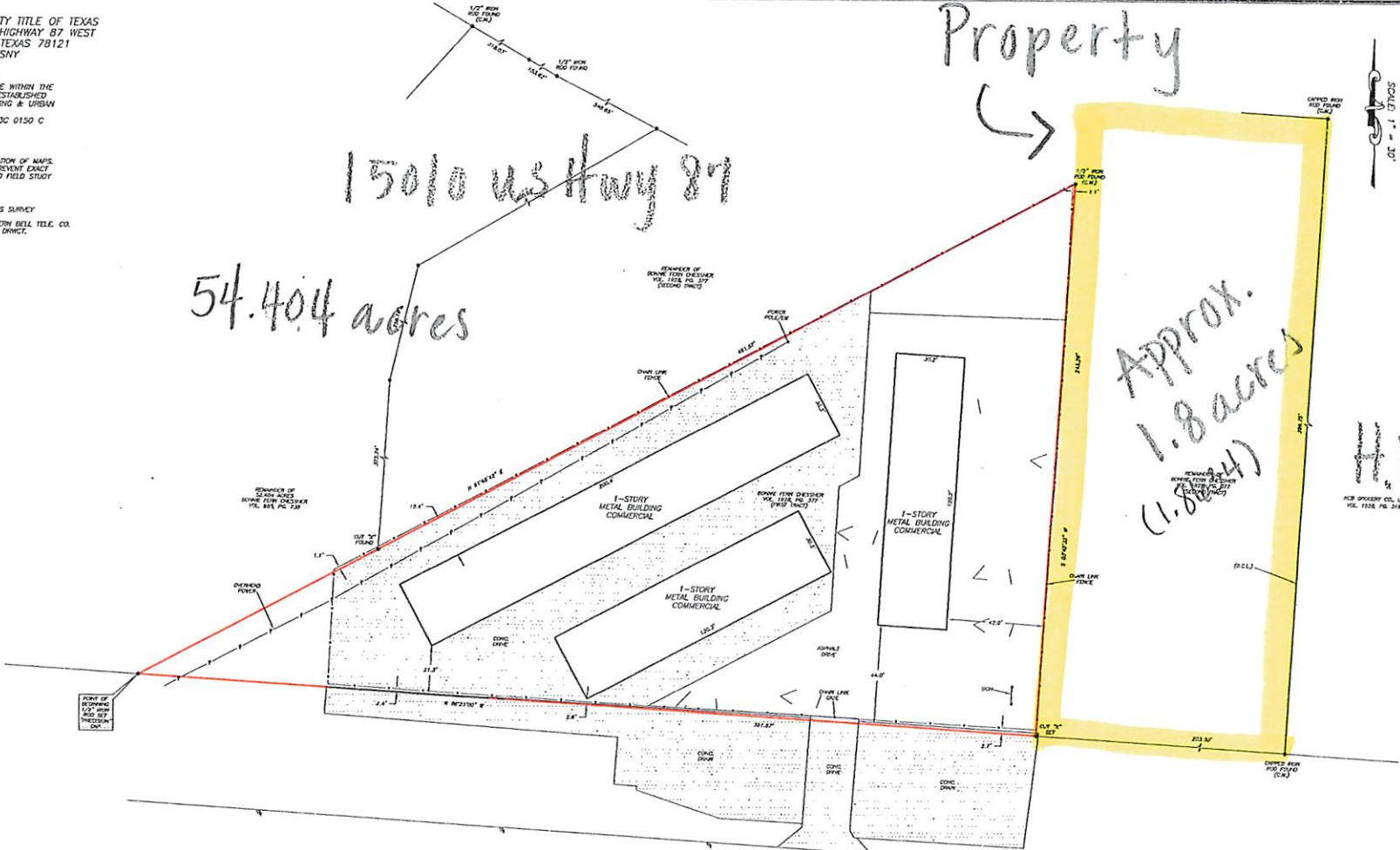
15010 US Hwy 87

54.404 acres

Property

Approx.  
 1.8 acres  
 (1.8094)

HEB



U.S. HIGHWAY 87 WEST

1.094 ACRES  
 OUT OF THE  
 FRANCISCO HERRERA SURVEY NO. 6, A-15  
 OF WILSON COUNTY, TEXAS  
 (SEE ATTACHED METES AND BOUNDS DESCRIPTION)

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE  
 ON THE GROUND, THAT THIS PLAT CORRECTLY  
 REPRESENTS THE FACTS FOUND AT THE  
 TIME OF SURVEY AND THAT THERE ARE NO  
 ENCUMBRANCES APPARENT ON THE GROUND,  
 EXCEPT AS SHOWN HEREON. THIS SURVEY IS  
 CERTIFIED FOR THIS TRANSACTION ONLY AND  
 NO CONTRACTING PROVIDED IN THE ABOVE  
 REFERENCED TITLE COMMITMENT WAS RULED  
 UPON BY PREPARATION OF THIS SURVEY.

ALL QUESTIONS CONTACT LMC  
 RECEIVED MONDAY, JUL. 14, 2014, PG. 377

DRAWN BY: JEB

TERRANCE WISH  
 PROFESSIONAL LAND SURVEYOR  
 NO. 4881  
 CRENSHAW, MO. SA2017-02477  
 SEPTEMBER 27, 2017



**PRECISION SURVEYORS**  
 PROFESSIONAL LAND SURVEYORS  
 1-800-LANDSURVEY  
 www.precisionlandsurveyors.com  
 281-496-1525 FAX 281-496-1827  
 800 INDEPENDENCE STREET SUITE 100 HOUSTON, TEXAS 77059  
 210-522-6881 FAX 210-629-1200  
 1717 W. LOOP W. SUITE 200 SAN ANTONIO, TEXAS 78211  
 TXM NO. 10063700



TEXAS STATE HIGHWAY DEPARTMENT  
BOARD OF RAY BAY COUNTY, TEXAS, SECTION 5, JOB 9, WHICH BEGINS  
U.S. HIGHWAY 21

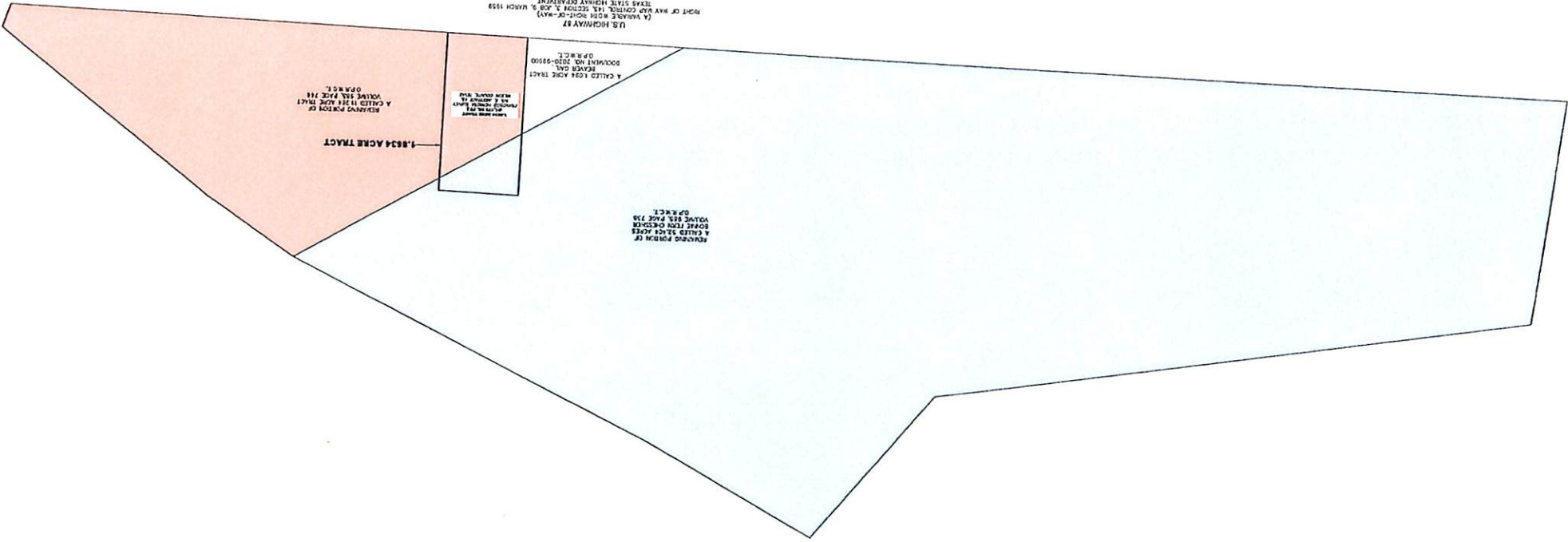
A CALLED 1004 ACRES TRACT  
BEING ONE  
DOCUMENT NO. 2021-2510

1004 ACRES TRACT  
BEING ONE  
DOCUMENT NO. 2021-2510

RESERVATION PART OF  
A CALLED 1184 ACRES TRACT  
VOLUME 218 PAGE 218

1,833.4 ACRES TRACT

RESERVATION PART OF  
A CALLED 2504 ACRES  
VOLUME 218 PAGE 218



**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**Executor's Special Warranty Deed**

**Date:** August 30, 2016, 2016

**Grantor:** Bonnie F. Chessher, Independent Administrator of the Estate of Donald Lee Chessher, Deceased

**Grantor's Mailing Address:**

The Estate of Donald Lee Chessher  
P.O. Box 338  
Nixon, Texas 78140

**Grantee:** Bonnie Fern Chessher

**Grantee's Mailing Address:**

Bonnie Fern Chessher  
P.O. Box 338  
Nixon, Texas 78140

**Consideration:**

Distribution of real property pursuant to the terms of the Last Will and Testament of Donald Lee Chessher, as admitted to probate in Cause No. AD14-9641, in the County Court of Gonzales County, Texas.

**Property (including any improvements):**

First Tract: Being 1.094 acres of land, more or less, out of the Francisco Herrera Survey No. 6, Abstract 15, Wilson County, Texas, and also being described as a 1.093 acre tract in Volume 854, Page 514, Official Records of Wilson County, Texas, and being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes.

Second Tract: Being 4.616 acres of land, more or less, out of the Francisco Herrera Survey No. 6, Abstract 15, City of La Vernia, Wilson County, Texas, and being comprised of a 1.094 acre tract described in Volume 985, Page 749 of the Official Records of Wilson County, Texas; 1.427 acres out of an 11.264 acre tract described in Volume 985, Page 742 of the Official Records of Wilson County, Texas; and 2.095 acres out of a 52.404 acre tract described in Volume 985, page 738 of the Official Records of

Wilson County, Texas, and being more particularly described on Exhibit "B" attached hereto and made a part hereof for all purposes.

Third Tract: City of La Vernia, Lot 101B, ACRES: 48.563, ID: 78291 SAVE AND EXCEPT Second Tract described above.

Fourth Tract: All real property titled in the name of Donald Lee Chessher in Wilson County, Texas.

**Reservations from Conveyance:**

None

**Exceptions to Conveyance and Warranty:**

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; and taxes for 2016, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

Bonnie F. Chessher  
Bonnie F. Chessher, Independent Administrator of  
the Estate of Donald Lee Chessher, Deceased



STATE OF TEXAS

§  
§  
§



COUNTY OF Donzales

This instrument was acknowledged before me on August 30, 2016, by Bonnie F. Chessher, as Independent Administrator of the Estate of Donald Lee Chessher, Deceased.

Cathy C. Hunt  
Notary Public, State of Texas

PREPARED IN THE OFFICE OF:  
Knobles, Raetzsch, Moore & Eveld, L.L.P.  
202 N. Camp Street  
Seguin, Texas 78155  
Tel: (830) 379-9445

~~AFTER RECORDING RETURN TO:  
Knobles, Raetzsch, Moore & Eveld, L.L.P.  
202 N. Camp Street  
Seguin, Texas 78155  
Tel: (830) 379-9445~~

FR Bonnie Chessher  
P.O. Box 338  
Nixon, TX 78140

Doc 00027560 Bk OP Vol 1745 PG 813

Doc 00057265 Bk OP Vol 1928 PG 380

**BEING 1.094 acres of land, more or less, out of the Francisco Herrera Survey No. 6, Abstract 15, Wilson County, Texas and also being described as a 1.093 acre tract in Volume 854, Page 514 of the Official Records of Wilson County, Texas, and being more particularly described as follows:**

**BEGINNING at an iron rod set in the existing R.O.W. line of U.S. Highway 87 for the most westerly corner of this tract and the most westerly corner of the above referenced 1.094 acre tract, said point also being the southwest corner of a 52.376 acre tract described in Volume 801, Page 272 of the Official Records of Wilson County, Texas;**

**THENCE, N. 61° 48' 42" E., 461.57 feet along the common line with said 52.376 acre tract to an iron rod set at a chain link fence corner post for the most northerly corner of this tract;**

**THENCE, S. 03° 42' 33" W., 243.28 feet along the common chain link fence line with the remaining portion of 12.58 acre tract described as "Tract B" in Volume 439, Page 47 of the Deed Records of Wilson County, Texas to an iron rod found in the existing north R.O.W. line of U. S. Highway 87 for the southeast corner of this tract;**

**THENCE, N. 88° 23' 00" W., (Ref. Brg.) 391.87 feet along said north R.O.W. line to the POINT OF BEGINNING and containing 1.094 acres of land, more or less.**

PORTIONS OF THIS DOCUMENT MAY  
NOT BE LEGIBLE/REPRODUCIBLE  
WHEN RECEIVED FOR RECORDING

**EXHIBIT "A"**

**FIELD NOTES**  
March 10, 2006

BEING 4.616 acres of land, more or less, out of the Francisco Herren Survey No. 6, Abstract 13, City of La Vernis, Wilson County, Texas and being comprised of a 1.904 acre tract described in Volume 985, Page 749 of the Official Records of Wilson County, Texas; 1.427 acres out of an 11.264 acre tract described in Volume 985, Page 742 of the Official Records of Wilson County, Texas; and 2.095 acres out of a 52.404 acre tract described in Volume 985, Page 738 of the Official Records of Wilson County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found in the existing north R.O.W. line of U. S. Highway 87 for the most westerly corner of this tract and the most westerly corner of the above referenced 1.094 acre tract, said point also being the southwest corner of the above referenced 52.404 acre tract;

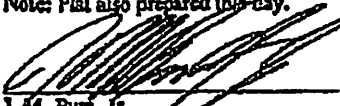
THENCE, N 61°48'42" E, 118.02 feet along the common line with said 52.404 acre tract to an "X" set on concrete in the east line of a Channel Easement described in Volume 292, Page 377 of the Deed Records of Wilson County, Texas for a corner of this tract;

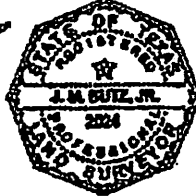
THENCE, N 03°37'00" E, 337.80 feet along the common line with said Channel Easement to an iron rod found for the northwest corner of this tract and a corner of a 15.105 acre tract described in Volume 1255, Page 305 of the Official Records of Wilson County, Texas;

THENCE, S 86°23'00" E, 494.87 feet along the common line with said 15.105 acre tract to an iron rod found for the northeast corner of this tract and an interior corner of said 15.105 acre tract;

THENCE, S 03°37'00" W, 400.00 feet along the common line with said 15.105 acre tract to an iron rod found in the existing north R.O.W. line of U. S. Highway 87 for the southeast corner of this tract;

THENCE, N 86°23'00" W, (Ref. Brg.) 595.17 feet along said north R.O.W. line to the POINT OF BEGINNING and containing 4.616 acres of land, more or less.

Note: Plat also prepared this day.  
  
J. M. Burt, Jr.  
Registered Professional Land Surveyor  
No. 2024



PORTIONS OF THIS DOCUMENT MAY NOT BE LEGIBLE/REPRODUCIBLE WHEN RECEIVED FOR RECORDING

FN98-344.G

Filed for Record in:  
Wilson County  
by Honorable Eva Martinez  
County Clerk  
On: Aug 22, 2013 at 08:41A  
As a Recording

Document Number: 00027560  
Total Fees: 36.00

Receipt Number - 155683  
By: Gayle Riches

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS  
COUNTY OF WILSON  
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in Official Public Records the Volume: 1745 and Page: 809 of the named records of: Wilson County as stamped hereon by me.

Aug 22, 2013



EXHIBIT "B"



Filed for Record in:  
Wilson County  
by Honorable Eva Martinez  
County Clerk

On: Sep 01, 2016 at 02:09P  
As a Recordings

Document Number: 00057265  
Total Fees : 46.00

Receipt Number - 196408  
By: Oralia Vela

Any provision herein which restricts the sale, rental, or use of the described realproperty because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS  
COUNTY OF WILSON

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in Official Public Records the Volume: 1928 and Page: 377 of the named records of: Wilson County as stamped hereon by me.

Sep 01, 2016



*Eva S. Martinez*  
COUNTY CLERK  
WILSON COUNTY, TEXAS

PORTIONS OF THIS DOCUMENT MAY NOT BE LEGIBLE/REPRODUCIBLE WHEN RECEIVED FOR RECORDING

15 Blk 32)

## 6. Commissioner and Staff Requests for Future Agenda Items

## 7. Adjourn

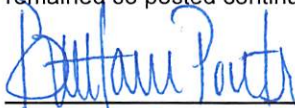
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The Planning and Zoning Commission for the City of La Vernia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act, Texas Governmental Code §551.071 (Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), and §551.087 (Economic Development), and any other provisions under Texas law that permits a governmental body to discuss a matter in closed executive session.

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I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above named La Vernia Planning and Zoning Commission is a true and correct copy of said Notice and that I posted true and correct copy of said Notice on the bulletin boards, of the City Hall of said City of La Vernia, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on **May 26, 2021 at 4:30 P.M.** and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.



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Brittani Porter, City Secretary



APPLICATION FOR LAND SUBDIVISION (PLAT)

102 E. Chihuahua Street
P.O. Box 225
La Vernia, TX 78121
(830) 779-4541
bporter@lavernia-tx.gov

CHECK ONE: [ ] Master Plan [ ] Prelim./Final Plat [ ] Prelim. Plat [ ] Final Plat [X] Replat [ ] Amended [X] Minor

1. PROPOSED SUBDIVISION NAME: NONE UNIT NO.

LOCATION DESCRIPTION/NEAREST INTERSECTION: Dry Hollow/Chihuahua

ACREAGE: 13 NO OF LOTS: EXISTING 1 PROPOSED 3

REASON FOR PLATTING/REPLATTING Sell land to family members

2. OWNER/APPLICANT\*: Beth Womack

(\* If applicant is person other than owner, a letter of authorization must be provided from owner.\*)

ADDRESS: 2629 Cloverbrook Road

Telephone: 513-236-7755 Fax: Mobile: 513-300-9996 Email: dazzelebmw@hotmail.com

3. LICENSED ENGINEER/SURVEYOR: Westar Alamo Land Surveyors LLC

MAILING ADDRESS: P.O. Box 1645 Boerne, TX 78006 Ste.

TELEPHONE: 210-372-9500 Fax: 210-372-9999 Mobile: Email:

~~LIST ANY VARIANCE REQUESTED: 2 acre tract for house~~

REASON FOR REQUEST (List any hardships):

4. PRESENT USE OF THE PROPERTY farming CURRENT ZONING:

5. CITY LIMITS: [X] IN [ ] OUT IS ANY PART OF THE PROPERTY IN A FLOODPLAIN? [X] YES [ ] NO

6. Is the property subject to any liens, encumbrances, or judgments? If so, give details. (Provide separate sheet if needed.) Permission from any lien holders and/or removal of any encumbrances or judgments will be necessary prior to filing of said plat with the County Clerk's office.

REQUIRED ITEMS FOR SUBMITTAL PACKAGE

- [ ] Completed application, including signature of owner/applicant and signed waiver.
[ ] Copy of deed showing current ownership.
[ ] 7 copies of the plat, collated and folded so that the subdivision name is visible. Staple plats with 2 or more pages.
[ ] 2 copies of the preliminary plan of the water system showing the approximate location and size of onsite and offsite existing and proposed water lines and fire hydrants; sewer system; storm sewer and preliminary drainage plan.
[ ] Current deed restrictions for Vacating Plats, Replats, and Townhouse and Zero Lot Line Subdivisions.
[ ] Survey showing any existing structures on the subject property.
[ ] List of street names approved by the appropriate county.

PLEASE READ "IMPORTANT NOTES" ON THE REVERSE SIDE OF THIS APPLICATION

I agree to comply with all platting and subdivision requirements of the City of La Vernia. I understand that the plat will NOT be forwarded to the Planning and Zoning Commission unless staff comments are satisfactorily addressed by the plat correction due date. I voluntarily waive my right to request a certificate stating the date the plat was filed and that the Planning and Zoning Commission failed to act on the plat within thirty days. I do not object to consideration of the plat on May 4, 2021 (date of Planning and Zoning Commission meeting). This waiver expires after May 11, 2021 (date of the Planning and Zoning Commission meeting). (The waiver statement is not applicable to Minor Plats.)

Signature of Owner/Applicant: Beth Womack Printed Name of Owner/Applicant

Date: 8 Apr 2021

(If applicant is person other than owner, a letter of authorization must be provided from owner.)
Signature indicates authorization for plat application and acceptance of waiver statement.



### APPLICATION FEES

<b>Overall Development Concept Review Fee</b>	\$50 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots, but intended for apartments, townhouses, commercial and/or industrial use.
<b>Preliminary Plat Review</b>	\$50 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots
<b>Final Plat Review Fee</b>	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots.
<b>Minor Subdivision Plat</b>	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots.
<b>Vacating a Plat or Replatting</b>	\$75 + \$1.00 per lot, plus \$2.00 per acre or portion thereof for any land within the boundaries of the plat not divided into conventional single-family residential lots.
<b>Plat Amendment</b>	\$100
<b>Engineering Fees Review</b>	To be paid by the developer or property owner before the final plat approval is made by the city.
<b>Changes or request for further reviews from the developer or property owner by the City Engineer</b>	Shall be paid by the developer or property owner at the standard rates charged by the City Engineer before the final plat approval is made by the City.
<b>Legal Fees</b>	Shall be paid by the City for legal fees incurred. The subdivider shall reimburse the City prior to the final plat approval by the City.
<b>Variance Requesting Relief from the Subdivision Ordinance</b>	\$50

**IMPORTANT NOTES:**

- All staff comments must be addressed by the plat correction due date. If not, the plat will NOT be forwarded to the Planning and Zoning Commission until all staff comments have been satisfied.
- For plats on TxDOT right-of-way, it is highly recommended that a permit be submitted to TxDOT prior to submitting the plat application.
- Engineering and legal fees shall be paid to the city prior to the final plat approval.
- The following items must be provided when submitting an approved plat for recordation.
  - Tax certificate showing that no taxes are currently due or delinquent against the property.
  - Three original mylars.
  - Twelve blue line copies for Wilson County 9-1-1 Addressing in 24 X 36 inch or 24 X 18 inch format.
  - One 11 X 17 inch blue line copy.
  - An electronic copy in .pdf in 24 X 36 inch or 24 X 18 inch format and in 11 X 17 inch format.
  - Recording fee. Checks should be made out to Wilson County Clerk.

**FOR OFFICE USE ONLY:**

Date Application Fee Received: April 8, 2021 Received By: Reporter

Receipt No. \_\_\_\_\_ Cash/Check No. \_\_\_\_\_ Amount Recd. \$ 771.00

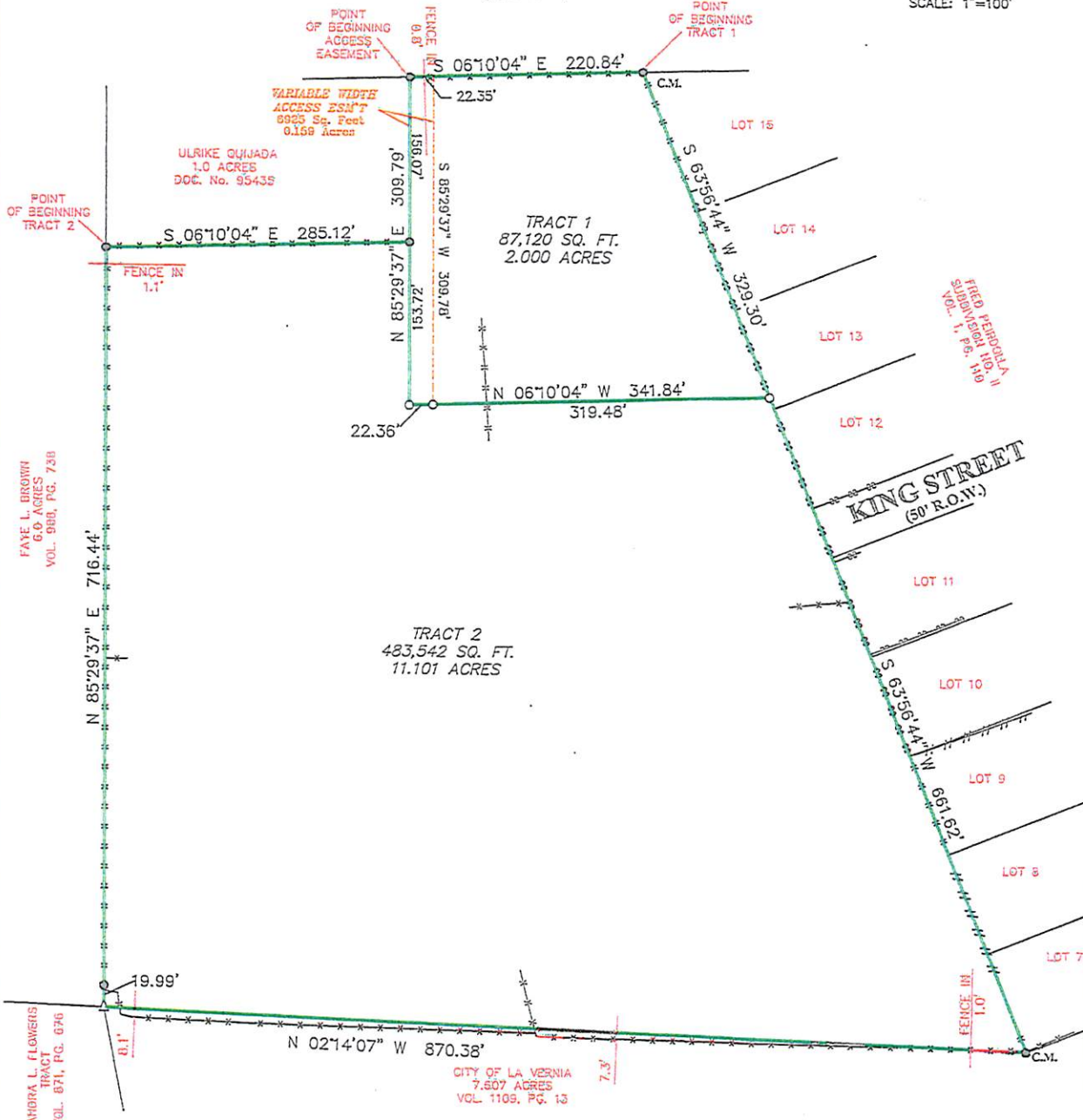
\_\_\_\_\_ 7 copies \_\_\_\_\_ street name appr. list \_\_\_\_\_ TxDOT approval letter

\_\_\_\_\_ letter of authorization \_\_\_\_\_ proof of ownership \_\_\_\_\_ HOA document

Plat review meeting date: \_\_\_\_\_ Planning and Zoning Commission meeting date: 5/4/2021

**DRY HOLLOW ROAD**  
(50' R.O.W.)

SCALE: 1"=100'



THIS SURVEY IS  
ACKNOWLEDGED AND  
IS ACCEPTED:

NOTE:  
PRIOR SURVEY (WESTAR JOB NO.  
103982) WAS USED FOR REFERENCE.

NOTE:  
NO RESTRICTIVE COVENANTS OF RECORD WERE FOUND.

NOTE:  
BEARINGS SHOWN HEREON ARE BASED ON  
ACTUAL GPS OBSERVATIONS, TEXAS STATE  
PLANE COORDINATES, SOUTH CENTRAL ZONE  
GRID.

NOTE:  
THE SIGNING SURVEYOR WAS NOT PROVIDED A CURRENT  
TITLE COMMITMENT AND THERE MAY BE EASEMENTS,  
RIGHTS OF WAY OR OTHER INSTRUMENTS OF RECORD  
WHICH MAY AFFECT THIS PROPERTY WHICH ARE NOT  
SHOWN ON THE FACE OF THIS SURVEY.

**FLOOD ZONE INTERPRETATION:** IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 48000E, Panel No. 0125E, which is dated 11/28/2010. By citing from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) AE. Because this is a boundary survey, the surveyor did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or State or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <https://msa.fema.gov/portal>.

Property Address: 525 DRY HOLLOW ROAD

Property Description:

**TRACT 1**  
BEING 2.000 ACRES MORE OR LESS, SITUATED IN THE JUAN DELGADO GRANT, SURVEY NO. 8, ABSTRACT NO. 8, CITY OF LA VERNIA, WILSON COUNTY, TEXAS, BEING OUT OF THAT CERTAIN 13.101 ACRE TRACT DESCRIBED IN WARRANTY DEED RECORDED IN DOCUMENT NO. 101119, OFFICIAL PUBLIC RECORDS, WILSON COUNTY, TEXAS, SUBJECT TO, A VARIABLE WIDTH ACCESS EASEMENT, SAID 2.000 ACRES AND ACCESS EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED HERETO.

**TRACT 2**  
BEING 11.101 ACRES MORE OR LESS, SITUATED IN THE JUAN DELGADO GRANT, SURVEY NO. 8, ABSTRACT NO. 8, CITY OF LA VERNIA, WILSON COUNTY, TEXAS, BEING OUT OF THAT CERTAIN 13.101 ACRE TRACT DESCRIBED IN WARRANTY DEED RECORDED IN DOCUMENT NO. 101119, OFFICIAL PUBLIC RECORDS, WILSON COUNTY, TEXAS, TOGETHER WITH A VARIABLE WIDTH ACCESS EASEMENT, SAID 11.101 ACRES AND ACCESS EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED HERETO.

Owner: T.B.D.

FRM REGISTRATION NO.  
1011702

**Westar Alamo**  
LAND SURVEYORS, I.L.C.  
P.O. BOX 1645 BOERNE, TEXAS 78005  
PHONE (210) 372-0500 FAX (210) 372-9999

- LEGEND**
- △ - CALCULATED POINT
  - - FND. 1/2" IRON ROD
  - ( ) - RECORD INFORMATION
  - B.S. - BUILDING SETBACK
  - C.M. - CONTROLLING MONUMENT
  - - SET 1/2" IRON ROD
  - - WIRE FENCE
  - - WOOD FENCE
  - - CHAIN LINK FENCE



I, MARK J. EWALD, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plot represents an actual BOUNDARY ONLY survey made on the ground under my supervision.

*Mark J. Ewald*  
MARK J. EWALD  
Registered Professional Land Surveyor  
Texas Registration No. 5095

## METES AND BOUNDS

### Tract 1

Being 2.000 acres more or less, situated in the Juan Delgado Grant, Survey No. 8, Abstract No. 8, City of La Vernia, Wilson County, Texas, being out of that certain 13.101 acre tract described in Warranty Deed recorded in Document No. 101119, Official Public Records, Wilson County, Texas, SUBJECT TO, a Variable Width Access Easement, said 2.000 acres and Access Easement being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod found for the southeast corner of this 2.000 acres, same being the North corner of Lot 15, Fred Peirdolla Subdivision No. 2 (Volume 1, Page 110), same being the southeast corner of said 13.101 acres, and on the northwest Right-of-Way of Dry Hollow Road, same also being the **POINT OF BEGINNING**;

**THENCE** along the line common to this 2.000 acres, said 13.101 acres, and the northwest line of said Fred Peirdolla Subdivision No. 2, South 63 degrees 56 minutes 44 seconds West, a distance of 329.30 feet to a 1/2 inch iron rod capped "WALS" set for the southwest corner of this 2.000 acres, same being on the northwest line of Lot 13, and the lower southeast corner of Tract 2 (surveyed this same date);

**THENCE** departing the southeast line of and severing said 13.101 acres, the following courses and distances;

Along the line common to this 2.000 acres and said Tract 2, North 06 degrees 10 minutes 04 seconds West, a distance of 341.84 feet to a 1/2 inch iron rod capped "WALS" set for the northwest corner of this 2.000 acres, same being an interior corner of said Tract 2;

Continuing along the line common to this 2.000 acres and said Tract 2, North 85 degrees 29 minutes 37 seconds East, at a distance of 153.70 feet pass a 1/2 inch iron rod found for an interior corner of said 13.101 acres, and the upper southeast corner of said Tract 2, same also being the southwest corner of the Ulrike Quijada 1.0 acres (Document No. 95435), and continuing a total distance of 309.79 feet to a 1/2 inch iron rod found for the northeast corner of this 2.000 acres, same being the southeast corner of said Quijada 1.0 acres, and on the northwest Right-of-Way of said Dry Hollow Road;

**THENCE** along the northwest Right-of-Way of said Dry Hollow Road, South 06 degrees 10 minutes 04 seconds East, a distance of 220.84 feet to the **POINT OF BEGINNING**, and containing 2.000 acres of land, more or less.

### Variable Width Access Easement

Being a Variable Width Access Easement (0.151 acres more or less), situated in the Juan Delgado Grant, Survey No. 8, Abstract No. 8, City of La Vernia, Wilson County, Texas, being situated in that certain 13.101 acre tract described in Warranty Deed recorded in Document No. 101119, Official Public Records, Wilson County, Texas, said 0.151 acres being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod found for the the northeast corner of this 0.159 acres, same being the southeast corner of the Ulrike Quijada 1.0 acres (Document No. 95435), and the northeast corner of Tract 1 (surveyed this same date), same also being on the northwest Right-of-Way of Dry Hollow Road, and the **POINT OF BEGINNING**;

**THENCE** along the northwest Right-of-Way of Dry Hollow Road, South 06 degrees 10 minutes 04 seconds East, a distance of 22.35 feet to a point for the southeast corner of this 0.159 acres;

**THENCE** over and across said 13.101 acres, the following courses and distances;

South 85 degrees 29 minutes 37 seconds West, a distance of 309.78 feet to a 1/2 inch iron rod capped "WALS" set for the southwest corner of this 0.159 acres, same being on a East line of Tract 2, (surveyed this same date);

North 06 degrees 10 minutes 04 seconds West, a distance of 22.36 feet to a 1/2 inch iron rod capped "WALS" set for the northwest corner of this 0.159 acres, same being an interior corner of said Tract 2;

North 85 degrees 29 minutes 37 seconds East, at a distance of 153.72 feet pass a 1/2 inch iron rod found for the upper southeast corner of said Tract 2, and the southwest corner of said Quijada 1.0 acres, and continuing a total distance of 309.79 feet to the **POINT OF BEGINNING**, and containing 0.159 acres of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof. Bearings shown hereon are based on actual GPS Observations, Texas State Plane Coordinates, South Central Zone, Grid.



Mark J. Ewald  
Registered Professional Land Surveyor  
Texas Registration No. 5095  
March 08, 2021  
Amended: May 11, 2021



## METES AND BOUNDS

### Tract 2

Being 11.101 acres more or less, situated in the Juan Delgado Grant, Survey No. 8, Abstract No. 8, City of La Vernia, Wilson County, Texas, being out of that certain 13.101 acre tract described in Warranty Deed recorded in Document No. 101119, Official Public Records, Wilson County, Texas, **TOGETHER WITH**, a Variable Width Access Easement, said 11.101 acres and Access Easement being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod found for the northeast corner of this 11.101 acres, same being on the South line of the Faye L. Brown 6.0 Acres (Volume 988, Page 738), and the northwest corner of the Ulrike Quijada 1.0 Acres (Document No. 95435), same also being the **POINT OF BEGINNING**;

**THENCE** along the line common to this 11.101 acres, and said Quijada 1.0 acres, South 06 degrees 10 minutes 04 seconds East, a distance of 285.12 feet to a 1/2 inch iron rod found for the upper southeast corner of this 11.101 acres, same being the southwest corner of said Quijada 1.0 acres, and on the North line of Tract 1 (surveyed this same date), same also being an interior corner of said 13.101 acres;

**THENCE** departing the East line of and severing said 13.101 acres, the following courses and distances;

Along the line common to this 11.101 acres, and said Tract 1, South 85 degrees 29 minutes 37 seconds West, a distance of 153.72 feet to a 1/2 inch iron rod capped "WALS" set for and interior corner of this 11.101 acres, same being the northwest corner of said Tract 1;

Continuing along said common line, South 06 degrees 10 minutes 04 seconds East, at distance of 22.36 feet pass a 1/2 inch iron rod capped "WALS" set for the southwest corner of said Variable Width Access Easement, continuing for a total distance of 341.84 feet to a 1/2 inch iron rod capped WALS set for the lower southeast corner of this 11.101 acres, same being the southwest corner of said Tract 1 and on the North line of Lot 13 of said Fred Peirdolla Subdivision No. 2 (Volume 1, Page 110);

**THENCE** along the line common to this 11.101 acres and said the North line of said Fred Peirdolla Subdivision No. 2, South 63 degrees 56 minutes 44 seconds West, a distance of 661.62 feet to a 1/2 inch iron rod found for the southwest corner of this 11.101 acres, same being the northwest corner of Lot 7 of said Fred Peirdolla Subdivision No. 2 and on the East line of the City of La Vernia 7.607 acres (Volume 1109, Page 13), same also being the southwest corner of said 13.101 acres;

**THENCE** along the line common to this 11.101 acres and said City of La Vernia 7.607 acres, North 02 degrees 14 minutes 07 seconds West, a distance of 870.38 feet to a point for the northwest corner of this 11.101 acres, same being the southwest corner of said Brown 6.0 acres and the southeast corner of the Sandra Flowers Tract (Volume 871, Page 676), same also being the northeast corner of said City of La Vernia 7.607 acres;

**THENCE** along the line common to this 11.101 acres and said Brown 6.0 acres, North 85 degrees 29 minutes 37 seconds East, at a distance of 19.99 feet pass a 1/2 inch iron rod found for witness, and continuing a total distance of 716.44 feet to the **POINT OF BEGINNING**, and containing 11.101 acres of land, more or less.

### Variable Width Access Easement

Being a Variable Width Access Easement (0.151 acres more or less), situated in the Juan Delgado Grant, Survey No. 8, Abstract No. 8, City of La Vernia, Wilson County, Texas, being situated in that certain 13.101 acre tract described in Warranty Deed recorded in Document No. 101119, Official Public Records, Wilson County, Texas, said 0.151 acres being more particularly described by metes and bounds as follows:



BEGINNING at a 1/2 inch iron rod found for the the northeast corner of this 0.159 acres, same being the southeast corner of the Ulrike Quijada 1.0 acres (Document No. 95435), and the northeast corner of Tract 1 (surveyed this same date), same also being on the northwest Right-of-Way of Dry Hollow Road, and the POINT OF BEGINNING;

THENCE along the northwest Right-of-Way of Dry Hollow Road, South 06 degrees 10 minutes 04 seconds East, a distance of 22.35 feet to a point for the southeast corner of this 0.159 acres;

THENCE over and across said 13.101 acres, the following courses and distances;

South 85 degrees 29 minutes 37 seconds West, a distance of 309.78 feet to a 1/2 inch iron rod capped "WALS" set for the southwest corner of this 0.159 acres, same being on a East line of Tract 2, (surveyed this same date);

North 06 degrees 10 minutes 04 seconds West, a distance of 22.36 feet to a 1/2 inch iron rod capped "WALS" set for the northwest corner of this 0.159 acres, same being an interior corner of said Tract 2;

North 85 degrees 29 minutes 37 seconds East, at a distance of 153.72 feet pass a 1/2 inch iron rod found for the upper southeast corner of said Tract 2, and the southwest corner of said Quijada 1.0 acres, and continuing a total distance of 309.79 feet to the POINT OF BEGINNING, and containing 0.159 acres of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof. Bearings shown hereon are based on actual GPS Observations, Texas State Plane Coordinates, South Central Zone, Grid.



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