

**A QUORUM OF THE VAN ALSTYNE COMMUNITY AND ECONOMIC DEVELOPMENT CORPORATION BOARD MEMBERS MAY OR MAY NOT BE IN ATTENDANCE. NO ACTION BY EITHER BOARD WILL BE TAKEN AT THIS MEETING.**

**CITY OF VAN ALSTYNE**

**AGENDA**

**Zoning Board of Adjustment**  
Van Alstyne Community Center  
262 N. Preston Ave

**July 10, 2018**  
**6:30 P.M.**

**(The City Council Meeting will come to order immediately following the Zoning Board of Adjustment Meeting)**

*Citizens may appear before the City Council to address items not listed on the agenda, in accordance with procedural rules as determined by the meeting Chair and by submitting a "Public Comment Form" to the City Clerk no later than the conclusion of Agenda Item 3 (Pledges of Allegiance).*

*Citizens may appear before the City Council to address items listed on the agenda, in accordance with procedural rules as determined by the meeting chair and by submitting a "Public Comment Form" to the City Clerk no later than the conclusion of Agenda Item 3 (Pledges of Allegiance).*

*A "Public Comment Form" is not necessary when speaking for or against a Public Hearing item.*

*Persons with disabilities who plan to attend this meeting and who may need assistance should contact Jennifer Gould at (903) 482-5426 at least 48 hours prior to the meeting so that appropriate arrangements can be made. All persons attending shall abide by the City of Van Alstyne Public Meeting Rules of Citizen and Visitor Decorum adopted by Resolution No. 02-2010-01.*

*Pursuant to Section 551.127, Texas Government Code, one or more Councilmembers or employees may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting.*

**AGENDA**

1. Call to Order.
2. Invocation.
3. Pledges of Allegiance. (US and Texas)

**PUBLIC HEARINGS**

4. Conduct a Public Hearing regarding a request by the owner/agent of the property situated in the City of Van Alstyne, County of Grayson, State of Texas, being described as G-0770 MCKINNEY JAMES &HRS A-G0070, ACRES 2.81 on the north east corner of Main Street and East Van Alstyne Parkway, for a variance to the Van Alstyne Code of Ordinances, Section 46-86 (d) Appendix 1-B to reduce the side yard, corner lot, street side setbacks from 25 feet to 5 feet. The subject property is currently zoned Commercial District-General - 2 (C - 2).

## CONSENT AGENDA

*Items listed on the consent agenda allow the Council to approve all items together without discussion or individual motions. Items may be removed from the consent agenda on the request of any one member of the Council. Removed items will be discussed and action taken immediately after the consent agenda.*

5. Consider and take any action necessary regarding minutes from the June 12, 2018 Zoning Board of Adjustment meeting.

## ITEMS FOR CONSIDERATION

6. Consider and take any action necessary regarding a request by the owner/agent of the property situated in the City of Van Alstyne, County of Grayson, State of Texas, being described as G-0770 MCKINNEY JAMES &HRS A-G0070, ACRES 2.81 on the north east corner of Main Street and East Van Alstyne Parkway, for a variance to the Van Alstyne Code of Ordinances, Section 46-86 (d) Appendix 1-B to reduce the side yard, corner lot, street side setbacks from 25 feet to 5 feet. The subject property is currently zoned Commercial District-General - 2 (C - 2).
7. Adjournment.

---

I certify that I, Jennifer Gould, posted this agenda on the announcements board located in front of City Hall at 242 E. Jefferson at 11:30 a.m. on July 6, 2018.

---

Jennifer Gould, City Clerk

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session in the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

§ 551.071 – Private consultation with the attorney for the City regarding any item on this agenda.

§ 551.072 – Discussing purchase, exchange, lease or value of real property.

§ 551.074 – Discussing personnel or to hear complaints against personnel.



## AGENDA ITEM REPORT

### MEETING AGENDA

Item(s): 4 (City Clerk use only)

Meeting Date: July 10, 2018

Department: Administration

☒ Public Hearing

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted by: owner/agent

#### Attachments:

1. Public Hearing mail out
2. Notice recipient list
3. Responses (if any)

#### Agenda Item / Topic:

**ITEM 4. PUBLIC HEARING** – Conduct a Public Hearing regarding a request by the owner/agent of the property situated in the City of Van Alstyne, County of Grayson, State of Texas, being described as G-0770 MCKINNEY JAMES & HRS A-G0070, ACRES 2.81 on the north east corner of Main Street and East Van Alstyne Parkway, for a variance to the Van Alstyne Code of Ordinances, Section 46-86 (d) Appendix 1-B to reduce the side yard, corner lot, street side setback from 25 feet to 5 feet. The subject property is currently zoned Commercial District-General - 2 (C - 2).

#### Discussion / Justification:

Please review the staff report and other attachments provided for consideration under agenda item 6.



**NOTICE OF PUBLIC HEARING TO  
PROPERTY OWNER WITHIN 200 FEET OF PROPERTY  
SUBJECT TO PROPOSED VARIANCE REQUEST  
VARIANCE CASE "26168 ACRE TRACT"**

The Van Alstyne Zoning Board of Adjustment will conduct a public hearing on **July 10, 2018 at 6:30 p.m. at 262 N Preston Ave**, Van Alstyne, Texas to consider the variance request as described below:

A request by the owner/agent of the property situated in the City of Van Alstyne, County of Grayson, State of Texas, being described as G-0770 MCKINNEY JAMES &HRS A-G0070, ACRES 2.81 on the north east corner of Main Street and East Van Alstyne Parkway, for a variance to the Van Alstyne Code of Ordinances, Section 46-86 (d) Appendix 1-B to reduce the side yard, corner lot, street side from 25 feet to 5 feet. The subject property is currently zoned Commercial District-General - 2 (C - 2).

According to the most recently approved tax roll, you are the owner of property within 200 feet of the property which is the subject of the proposed variance case. The meeting shown above is open to the public, and you will have the right to speak for or against the proposed variance request during the public hearing portion of the meeting. You may also register your opinion by returning this form to the Van Alstyne City Hall, 242 E. Jefferson St.; P.O. Box 247, Van Alstyne, Texas, 75495.

You may contact the Planning Department, 242 E. Jefferson St.; P.O. Box 247, Van Alstyne Texas, 75495 for additional information, or by phone at 903-482-5426 or by e-mail at [khamner@cityofvanalstyne.us](mailto:khamner@cityofvanalstyne.us)

✂ Cut here

Variance Case "**26168 ACRE TRACT**"

**July 10, 2018**

**Members of the Zoning Board of Adjustment:**

I, \_\_\_\_\_, with property located at \_\_\_\_\_, Van Alstyne, Texas  
(name) (address)

\_\_\_ Support

Phone: \_\_\_\_\_

\_\_\_ Oppose

Email: \_\_\_\_\_

The proposed variances for the following reasons. (Use extra sheets if more room is needed):

---

---

---

---

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

[illegible]

S6 RANCHES LTD  
3877 WESTON RD  
MCKINNEY, TX 75071

ATMOS ENERGY/MID-TEX PIPELINE  
ATTN: TAX DEPARTMENT  
PO BOX 650205  
DALLAS, TX 75265-0205

LEWIS DANIEL  
PO BOX 1833  
VAN ALSTYNE, TX 75495-1833

STEPHENS SHERI TILLET  
PO BOX 980  
VAN ALSTYNE, TX 75495-0980

HAMILL MICHAEL D  
PO BOX 1909  
VAN ALSTYNE, TX 75495

ROPER A B  
107 CR 915  
ANNA, TX 75409

DUNCAN DOYLE G  
PO BOX 510  
VAN ALSTYNE, TX 75495

NICHOLS THERESA  
P O BOX 1474  
VAN ALSTYNE, TX 75495

JEFFERS WAYNE D ETUX SHERRY  
PO BOX 1056  
VAN ALSTYNE, TX 75495-1056

HASH MANDI B  
PO BOX 1654  
VAN ALSTYNE, TX 75495-1654

KIRLEY JOHN  
PO BOX 1657  
VAN ALSTYNE, TX 75495-1657

JONES SANDRA J  
PO BOX 484  
VAN ALSTYNE, TX 75495

SMITH RAYMOND & MAGIC  
8533 COUNTY ROAD 419  
ANNA, TX 75409

HALLIBURTON DAVID L ETUX  
BETTY  
PO BOX 573  
VAN ALSTYNE, TX 75495-0573

SALAS JOSE LUIS  
PO BOX 1044  
VAN ALSTYNE, TX 75495

COOK HAROLD C  
502 COLORADO ST  
SHERMAN, TX 75090-9174

MOORE FAMILY TRUST 11/11/2003 C/O  
MOORE ARNOLD J & BETTY SUE  
PO BOX 750  
VAN ALSTYNE, TX 75495-0750

RITCHEI AUBREY S  
PO BOX 848  
VAN ALSTYNE, TX 75495

MONTGOMERY GREGORY L &  
PATRICIA  
PO BOX 1134  
VAN ALSTYNE, TX 75495-1134

JM HOMES INC  
907 E JEFFERSON  
VAN ALSTYNE, TX 75495

RUSSELL RICKIE JR ETUX  
KRYSTAL  
411 NE MAIN ST  
VAN ALSTYNE, TX 75495

JAMES JANICE  
457 CLEMENTS AVE  
VAN ALSTYNE, TX 75495

LEWIS ROBERT P ETUX DELORES  
P O BOX 140  
VAN ALSTYNE, TX 75495

VAN ALSTYNE I S D  
1096 N WACO  
VAN ALSTYNE, TX 75495

**MAILED**  
**JUNE 27, 2018**

✂ Cut here

Variance Case "26168 ACRE TRACT"

July 10, 2018

**Members of the Zoning Board of Adjustment:**

I, Robert Lewis, with property located at End of Hill, Van Alstyne, Texas  
(name) (address)

☒ Support

☐ Oppose

Phone: (903) 844-0039

Email: \_\_\_\_\_

The proposed variances for the following reasons. (Use extra sheets if more room is needed):

---

---

---

---

Robert Lewis  
SIGNATURE

6-30-2018  
DATE

## CITY OF VAN ALSTYNE

### MINUTES

**Zoning Board of Adjustment**  
Van Alstyne Community Center  
262 N. Preston Ave

**June 12, 2018**  
**6:30 P.M.**

Members present: Mayor Steve Riley, Ryan Neal, Marla Butler, Robert Jaska, Lee Thomas and Suzon Crowell (*via FaceTime*).

Staff present: Lane Jones, Jennifer Gould, Ryan Dockery, Steve White, Judy Kimzey and Tim Barnes.

### AGENDA

1. Call to Order. *Mayor Riley called the meeting to order at 6:30pm.*
2. Invocation. *Recited by Ryan Neal.*
3. Pledges of Allegiance. *Led by Mayor Riley.*

### PUBLIC HEARINGS

4. Conduct a Public Hearing regarding a request by the owner/agent of the property situated in the City of Van Alstyne, County of Grayson, State of Texas, being described as DIVISIONS VAN ALSTYNE, BLOCK 4, ACRES 0.164 more commonly known as 288 W. Fulton St, for variances to the Van Alstyne Code of Ordinances, Section 46-97 (d) to allow a carport to be 5 feet from the main structure rather than not more than 15 feet as required. The subject property is currently zoned Single Family Residential District – 1 (SF – 1). *The Public Hearing opened at 6:33pm. The property owner/agent, Diana Turner spoke to the need and limited space. Mrs. Turner advised there are approximately eight homes in the area with similar carports nearer to residences than the code allows. There being no further comments the hearing closed at 6:35pm.*

### CONSENT AGENDA

*Items listed on the consent agenda allow the Council to approve all items together without discussion or individual motions. Items may be removed from the consent agenda on the request of any one member of the Council. Removed items will be discussed and action taken immediately after the consent agenda.*

5. Consider and take any action necessary regarding minutes from the May 8, 2018 Zoning Board of Adjustment meeting.

*Lee Thomas made a motion to approve items listed on the consent agenda. Suzon Crowell seconded the motion and the motion passed unanimously.*



## ITEMS FOR CONSIDERATION

6. Consider and take any action necessary regarding a request by the owner/agent of the property situated in the City of Van Alstyne, County of Grayson, State of Texas, being described as DIVISIONS VAN ALSTYNE, BLOCK 4, ACRES 0.164 more commonly known as 288 W. Fulton St, for variances to the Van Alstyne Code of Ordinances, Section 46-97 (d) to allow a carport to be 5 feet from the main structure rather than not more than 15 feet as required. The subject property is currently zoned Single Family Residential District – 1 (SF – 1). *Julie Fort read in to record the wording of Section 46-97(d) to clarify that a carport is required to be at least fifteen feet from the main structure. Suzon Crowell made a motion to table the item for actual measurements and submittal of pictures to identify the obstacles and neighbors. Motion died for lack of a second. Marla Butler made a motion to approve the request. Robert Jaska seconded the motion and the motion passed with Marla Butler, Robert Jaska, Ryan Neal and Lee Thomas in favor and Suzon Crowell opposed.*
7. Adjournment. *Mayor Riley adjourned the meeting at 6:44pm.*

---

Steve Riley, Mayor

ATTEST:

---

Jennifer Gould, City Clerk



# City Council

## AGENDA ITEM REPORT

### MEETING AGENDA

Item(s): 6 (City Clerk use only)

Meeting Date: July 10, 2018

Department: Administration

☐ Discussion ☒ Action

Budgeted Expense: ☐ YES ☐ NO ☒ N/A

Submitted by: owner/agent

#### Attachments:

1. Staff Report
2. Requestor Application and site plan
3. Location Map
4. Zoning Map
5. Future Land Use Map
6. Van Alstyne Code of Ordinances, Section 46-86 (d) Appendix 1-B
7. Van Alstyne Code of Ordinances, Section 46-235 and Local Government Code, Section 211.009(a)(3)

#### Agenda Item / Topic:

**ITEM 6. DISCUSSION/ACTION** – Consider and take any action necessary regarding a request by the owner/agent of the property situated in the City of Van Alstyne, County of Grayson, State of Texas, being described as G-0770 MCKINNEY JAMES & HRS A-G0070, ACRES 2.81 on the north east corner of Main Street and East Van Alstyne Parkway, for a variance to the Van Alstyne Code of Ordinances, Section 46-86 (d) Appendix 1-B to reduce the side yard, corner lot, street side setback from 25 feet to 5 feet. The subject property is currently zoned Commercial District-General - 2 (C - 2).

#### Discussion / Justification:

Please review the staff report and other attachments provided.

#### Recommendation / Staff Comments:

Staff recommends that Council follow the City's Code, Section 46-235 as well as Local Government Code, Section 211.009 (a)(3). Please note that the applicant must show that the hardship is unique, oppressive, not common to other property, not merely financial, not against the public interest, and not self-imposed (see *Moody v. City of University Park*, 278 S.W. 2d 912 (Dallas 1955, writ ref'd n.r.e.) and *Zoning Board of Adjustment v. Marshall*, 387 S.W. 2d 714 (San Antonio 1965, writ ref'd n.r.e.)).



## Staff Report

TO: City Council

RE: 26168 Tract

### REQUEST:

The requestor is seeking a variance to reduce the side yard, corner lot, street side setback from 25 feet to 5 feet.

### REQUESTOR/PROPERTY OWNER:

Owner/agent: Gerald and Amanda Rutledge of Red Gant Farms  
LLC

### TRACT SIZE AND LOCATION:

The property is legally described as G-0770 MCKINNEY JAMES & HRS A-G0070, ACRES 2.81 and generally located on the north east corner of Main Street and East Van Alstyne Parkway

### SURROUNDING LAND USE AND ZONING:

**North:** Manufacturing/Industrial District - Light (M-1)

**South:** Central Business District (CBD)

**East:** Single-Family

**West:** Single-Family Residential District - 60 (SF-60)

### FUTURE LAND USE PLAN:

**Subject Property:** Public/Semi-Public

**North:** Public/Semi-Public

**South:** Public/Semi-Public

**East:** Single-Family

**West:** Commercial and Single-Family

### EXISTING ZONING:

Commercial District - 2 (C-2)



STAFF COMMENTS:
-----------------

**Background:**

Staff performed the following administrative functions as required:

- |            |   |
|------------|---|
| 06-20-2018 | Received variance request, identified properties within 200ft of the subject property, identified said property owners and prepared the notice of public hearing.                                     |
| 06-27-2018 | Mailed Notice of the Zoning Board of Adjustment Public Hearing so as to mail notice of the hearing to the petitioner and those within 200 feet, at least 10 days before the hearing is to take place. |



# VARIANCE OR APPEAL APPLICATION FOR CITY OF VAN ALSTYNE

For Office Use Only

Project # 26168

Revision Date: 12/2015

Page 1 of 2

## Ordinance for Which Variance is Requested (check the appropriate box)

- ☒ Master Zoning Ordinance or Supplemental Ordinance(s)
- ☒ Subdivision Ordinance or Supplemental Ordinance(s)
- ☐ Master Building Code or Supplemental Ordinance(s)
- ☐ Sign Ordinance or Supplemental Ordinance(s)

## General Description of Request (complete the following)

Ordinance / Section for Which Variance is Requested Sec. 46-86(d) - Sideyard corner lot street side

Proposed Variance Reduce required 25-foot side yard to 5 feet.

## Subject Property Information (complete the following)

General Location (street frontage and distance to cross street) NE corner of Main St. and  
Van Alstyne Parkway.

Gross Area of Parcel (to the nearest tenth of acre) 3.1068

Please Provide Reason for Variance Request. Explain hardship, other than financial, if any, created by existing ordinance(s).

Existing Main Street was never platted. Applicant is  
dedicating all 50 feet of required ROW, thus requesting  
sideyard setback.

## Items Required with Submittal (check the appropriate boxes to indicate items submitted with petition)

The items below must be submitted with the zoning petition unless noted otherwise.

- ☒ Completed Application Form **(1 completed original)**
- ☒ Petition Fee (Board of Adjustment Appeal) Fee Amount \$ 200-
- ☐ Building Permit Denial Letter (if applicable) RCPT # 26168
- ☒ Applicant's Statement (Completely describe the variance you are requesting and give the reason for the hardship and justification for the variance.)
- ☒ Reproducible plans to support the application **(3 copies - 11"x17" or 24"x36")**
- ☐ Proposed Development Stipulations **(1 copy - 8.5"x11")**



# VARIANCE OR APPEAL APPLICATION FOR CITY OF VAN ALSTYNE

For Office Use Only

Project # 26168**Owner and Authorization** *(sign and notarize)*

Name *(signature required below)* Gerald Rutledge / Amanda Rutledge  
 Company Name Red Gant Farms LLC  
 Address P.O. Box 145  
 City Howe State TX Zip Code 75459  
 Telephone (972) 458-4234 Fax \_\_\_\_\_ Email \_\_\_\_\_

Owner, Check ONE of the following:

☐ I will represent the application myself, OR

☒ I hereby designate Gerald Rutledge *(name of project representative)*  
 to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this request. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this request.

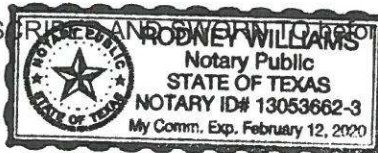
I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct.

Owner's Signature Amanda Rutledge Date 6/20/18

STATE OF TEXAS:  
COUNTY OF:

BEFORE ME, a Notary Public, on this day appeared Amanda Rutledge *(printed owner's name)* the above signed, who, under oath, stated the following: "I hereby certify that I am the owner for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the 20th day of June, 2018.



[Signature]  
Notary Public in and for the State of Texas

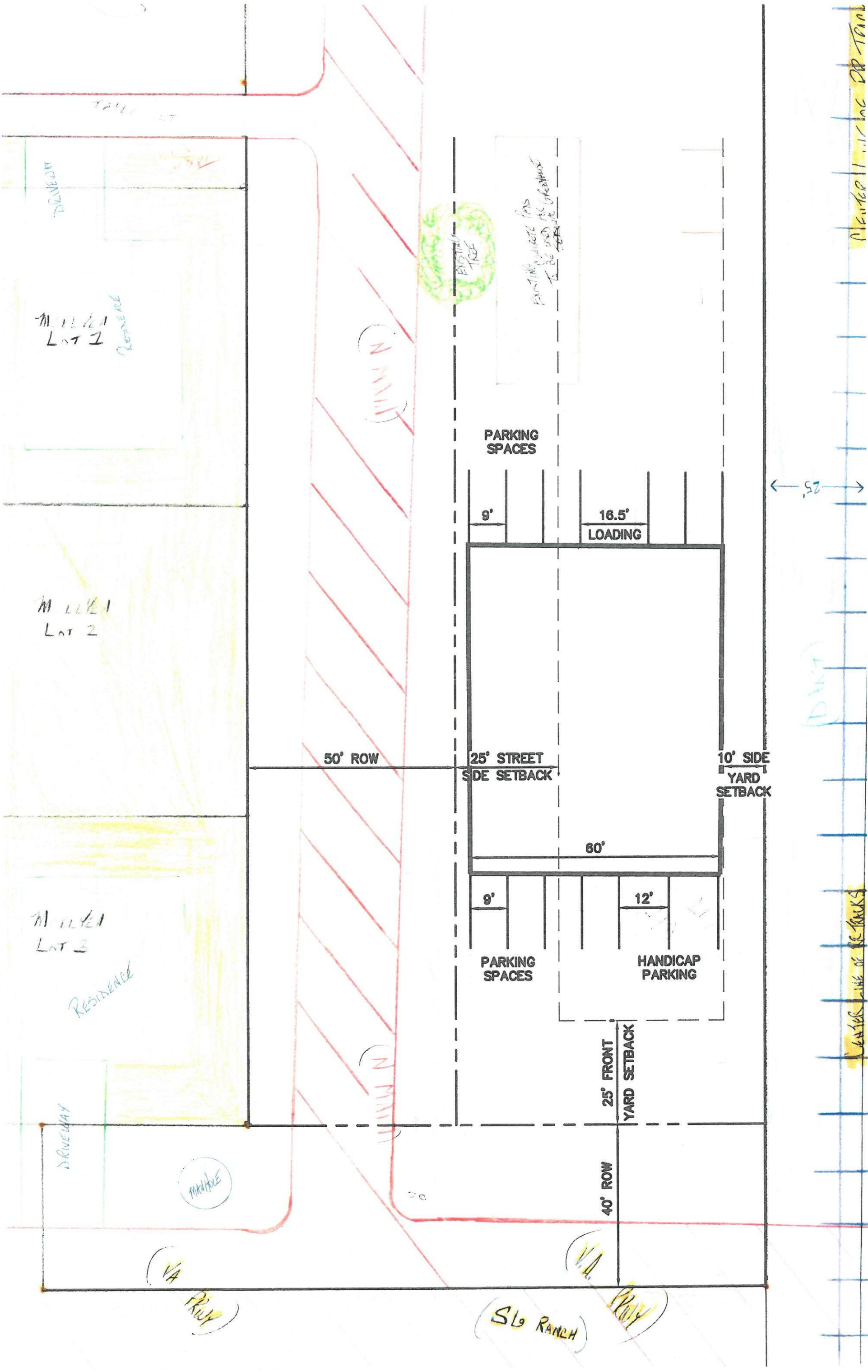
**Project Representative** *(complete if designated by owner)*

☐ Purchaser ☐ Tenant ☐ Preparer of Application  
☐ Other *(specify)* \_\_\_\_\_

Name \_\_\_\_\_  
 Company Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Telephone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

City of Van Alstyne Planning Department

242 E. Jefferson Street | Van Alstyne, Texas | 903-482-5426 | www.cityofvanalstyne.us



← 25' →

DRIVE

Center Line of RR Tracks

Center Line of RR Tracks

PARKING SPACES

9'

16.5'  
LOADING

25' STREET  
SIDE SETBACK

10' SIDE  
YARD  
SETBACK

60'

9'

12'

PARKING  
SPACES

HANDICAP  
PARKING

25' FRONT  
YARD SETBACK

40' ROW

VA

(RUE)

(SL9 RANCH)

VA

(RUE)

(N MAIN)

(N MAIN)

EXISTING TREE

EXISTING MATURE TREES  
TO BE USED FOR LANDSCAPING  
TO BE DONE BY CONTRACTOR

DRIVEWAY

MILLER  
Lot 1  
RESIDENCE

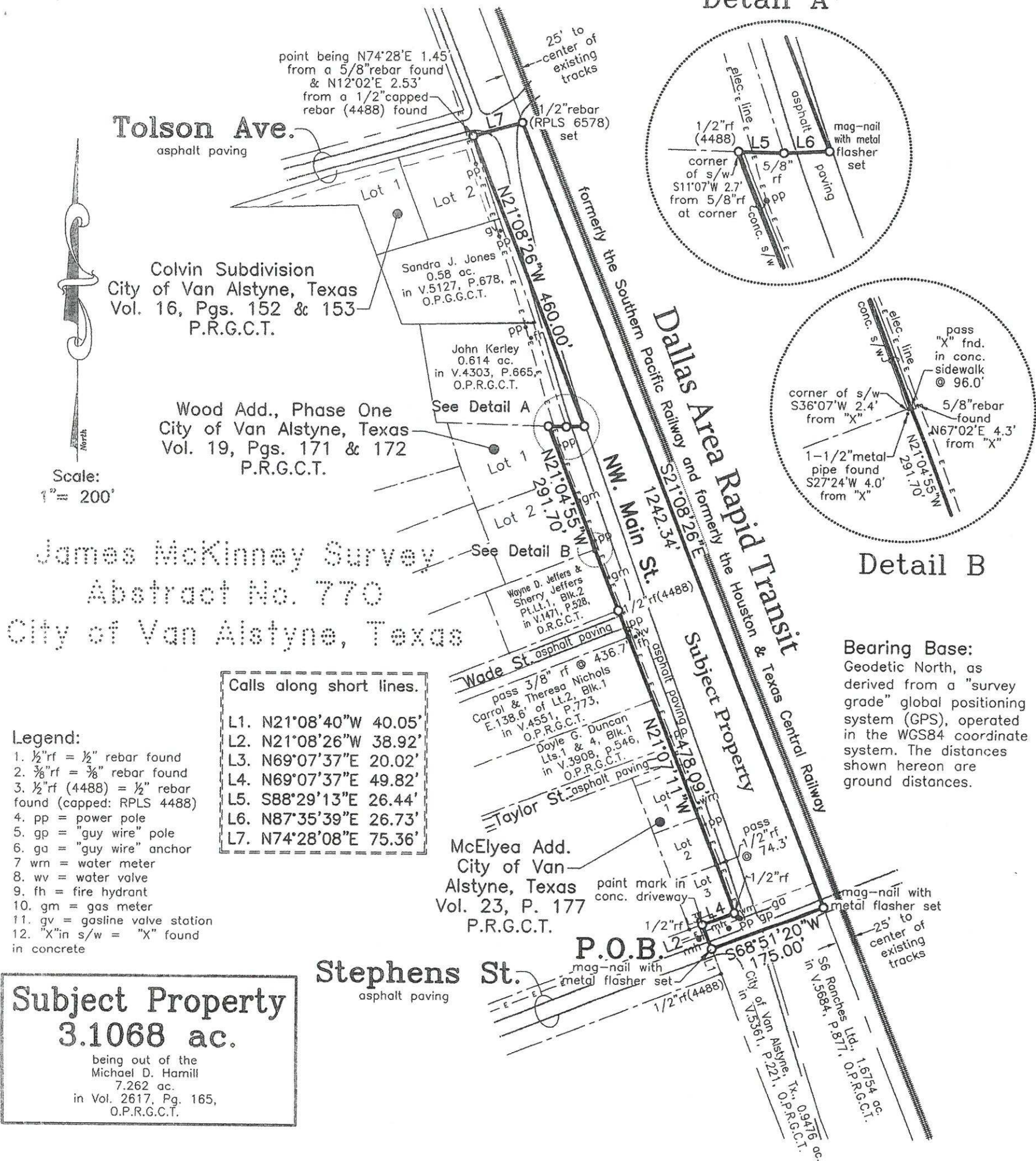
MILLER  
Lot 2

MILLER  
Lot 3  
RESIDENCE

DRIVEWAY

MAINT





This survey was prepared for the sole benefit of the transaction (boundary survey) by and between the Owner and Buyer stated hereon, and is null and void for any other transactions. Any other use of this survey without the sole consent of the undersigned surveyor is prohibited, and would infringe upon state and federal copyright statutes. Any violation of said statutes will be aggressively pursued.

I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was performed on the ground of the property shown hereinabove and that this survey complies with both the General Rules of Procedures and Practices as adopted by the Texas Board of Professional Land Surveying and the current Texas Society of Professional Surveyors standards and is a true and correct representation of the property shown hereon. Field Notes attached hereto.

The subject property shown hereon does not lie within the limits of any designated 100-year Flood Hazard Areas, as shown on the "FEMA" Flood Insurance Rate Map for Grayson County, Texas, Map No. 48181C0550 F, Revised Date: September 29, 2010.

Note: This survey was done without the benefit of a title commitment.



Helvey-Wagner Surveying, Inc.  
222 W. Main St., Denison, Texas 75020  
Ph: (903) 463-6191 Fax: (903) 463-4088  
Email: helveysurvey@comcast.net  
Texas Board of Professional Land Surveying  
Firm Registration No. 10088100



# Helvey-Wagner Surveying, Inc.

222 West Main Street · Denison, Texas 75020

Ph: (903) 463-6191 · Fax: (903) 463-4088 · Email: helveysurvey@cableone.net

TBPLS Firm Registration No. 10088100

Billy F. Helvey, RPLS No. 4488 – Kate A. Wagner, RPLS No. 6578 – Kenneth N. Russell, RPLS No. 4409

## FIELD NOTES 3.1068 Acres

**SITUATED** in the City of Van Alstyne, County of Grayson, State of Texas, being a part of the James McKinney Survey, Abstract No. 770, being a part of the 7.262 acre tract of land conveyed by Deed Without Warranty, **FROM:** Southern Pacific Transportation Company, **TO:** Michael D. Hamill, on December 9, 1997, and recorded in Volume 2617, Page 165, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

**BEGINNING** at a mag-nail with metal flasher set in the asphalt paving of Stephens Street, an “East-West” city street, in a West line of said Hamill 7.262 ac., at the Southwest corner of the herein described tract and at the Northwest corner of the City of Van Alstyne (Texas) 0.9476 ac. in Vol. 5361, Pg. 221, O.P.R.G.C.T., and in G.C.C. Document No. 2013-00019975, **SAID** City of Van Alstyne 0.9476 ac. is out of a Southern portion of said Hamill 7.262 ac., **SAID** beginning nail being North 21 deg. 08 min. 40 sec. West, 40.05 ft. from a ½ inch rebar (RPLS 4488) found in said West line of the City of Van Alstyne 0.9476 ac., and in the South right-of-way line of Stephens Street;

**THENCE** North 21 deg. 08 min. 26 sec. West, with said West line of the Hamill 7.262 ac., a distance of 38.92 ft. to a paint mark placed in a concrete driveway, in the North right-of-way line of Stephens Street and in the South line of Lot 3 of McElyea Addition, to the City of Van Alstyne, Texas, in Vol. 23, Pg. 177, Plat R.G.C.T., at a “Southern” Northwest corner of said Hamill 7.262 ac., **SAID** paint mark being North 69 deg. 07 min. 37 sec. East, 20.02 ft. from a ½ inch rebar found at the Southwest corner of said Lot 3 of McElyea Addition;

**THENCE** North 69 deg. 07 min. 37 sec. East, with the the South line of said Lot 3 of McElyea Addition, a distance of 49.82 ft. to a ½ inch rebar found at the Southeast corner of said Lot 3 and at an Ell corner of said Hamill 7.262 ac., in a West right-of-way line of NW. Main Street, a “North-South” city street;

**THENCE** North 21 deg. 07 min. 11 sec. West, with a West line of said Hamill 7.262 ac. and with a West right-of-way line of NW. Main Street, with the East line of said McElyea Addition and with the East lines of two other tracts of land, **PASSING** over Taylor Street and Wade Street, and continuing for a **TOTAL** distance of 478.09 ft. to a ½ inch rebar (RPLS 4488) found at a “slight” angle point in said West line of the Hamill 7.262 ac., in the North right-of-way line of Wade Street, at the Southeast corner of the Wayne D. Jeffers and Sherry Jeffers lot or tract of land in Vol. 1471, Pg. 528, D.R.G.C.T.;

**THENCE** North 21 deg. 04 min. 55 sec. West, again with said West line of the Hamill 7.262 ac. and with a West right-of-way line of NW. Main Street, with the East line of said Jeffers tract and with the East lines of two other lots or tracts of land, a distance of 291.70 ft. to a ½ inch rebar (RPLS 4488) found at a “Northern” Northwest corner of said Hamill 7.262 ac., a Northwest corner in the West right-of-way line of NW. Main Street, in the South line of the John Kerley 0.614 ac. in Vol. 4303, Pg. 665, O.P.R.G.C.T., and in G.C.C. Document No. 2007-00019906, at the Northeast corner of Lot 1 of Wood Addition, to the City of Van Alstyne (Texas) in Vol. 19, Pgs. 171 & 172, Plat R.G.C.T., **SAID** rebar being North 11 deg. 07 min. East, 2.7 ft. from the Northwest corner of a concrete sidewalk;

**THENCE** South 88 deg. 29 min. 13 sec. East, with the South line of said Kerley 0.614 ac., a distance of 26.44 ft. to a 5/8 inch rebar found at the Southeast corner of said Kerley 0.614 ac., and at an Ell in the West right-of-way line of NW. Main Street, in a North line of said Hamill 7.262 ac.;

**THENCE** North 87 deg. 35 min. 39 sec. East, with a North line of said Hamill 7.262 ac., over and across the asphalt paving of NW. Main Street, a distance of 26.73 ft. to a mag-nail with metal flasher set in the Eastern portion of said asphalt paving, at an Ell corner of said Hamill 7.262 ac.;

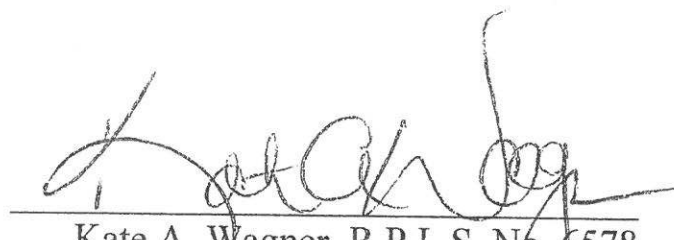
THENCE North 21 deg. 08 min. 26 sec. West, with a West line of said Hamill 7.262 ac., but not with the West right-of-way line of NW. Main Street nor with the East lines of any "West" adjoining tracts to NW. Main Street, along a line that is somewhat along said asphalt paving of NW. Main Street, crossing from the Eastern portion to the West edge of said asphalt paving and leaving said paving, and continuing now along side and West of said asphalt paving, for a **TOTAL** distance of 460.00 ft. to a point at the most Northern Northwest corner of said Hamill 7.262 ac., in a South right-of-way line of Tolson Avenue, an "East-West" city street, **SAID** point being North 74 deg. 28 min. East, 1.45 ft. from a 5/8 inch rebar found, **SAID** point also being North 12 deg. 02 min. East, 2.53 ft. from a 1/2 inch rebar (RPLS 4488) found at the Northeast corner of Lot 2 of Colvin Subdivision, to the City of Van Alstyne (Texas) in Vol. 16, Pgs. 152 & 153, Plat R.G.C.T.;

THENCE North 74 deg. 28 min. 08 sec. East, with the most Northern North line of said Hamill 7.262 ac. and with a South right-of-way line of Tolson Avenue, crossing over said asphalt paving of NW. Main Street, and continuing for a **TOTAL** distance of 75.36 ft. to a 1/2 inch rebar (RPLS 6578) set at the Northeast corner of said Hamill 7.262 ac., in the West right-of-way line of the Dallas Area Rapid Transit railway right-of-way (formerly the Southern Pacific Railway and formerly the Houston & Texas Central Railway), **SAID** rebar being 25 ft. perpendicular and West of the center of the main tracks of said railway;

THENCE South 21 deg. 08 min. 26 sec. East, with the East line of said Hamill 7.262 ac. and with the West right-of-way line of said Dallas Area Rapid Transit railway, along a line that is 25 ft. perpendicular to, West of and parallel with the center of the main tracks of said railway, a distance of 1242.34 ft. to a mag-nail with metal flasher set in the asphalt paving of said Stephens Street, at the Southeast corner of the herein described tract and at the Northeast corner of the S6 Ranches Ltd. 1.6754 ac. in Vol. 5684, Pg. 877, O.P.R.G.C.T., and in G.C.C. Document No. 2015-17766;

THENCE South 68 deg. 51 min. 20 sec. West, with the North line of said S6 Ranches 1.6754 ac., and then with the North line of said City of Van Alstyne 0.9476 ac., a **TOTAL** distance of 175.00 ft. to the **PLACE OF BEGINNING** and containing **3.1068 ACRES** of land.

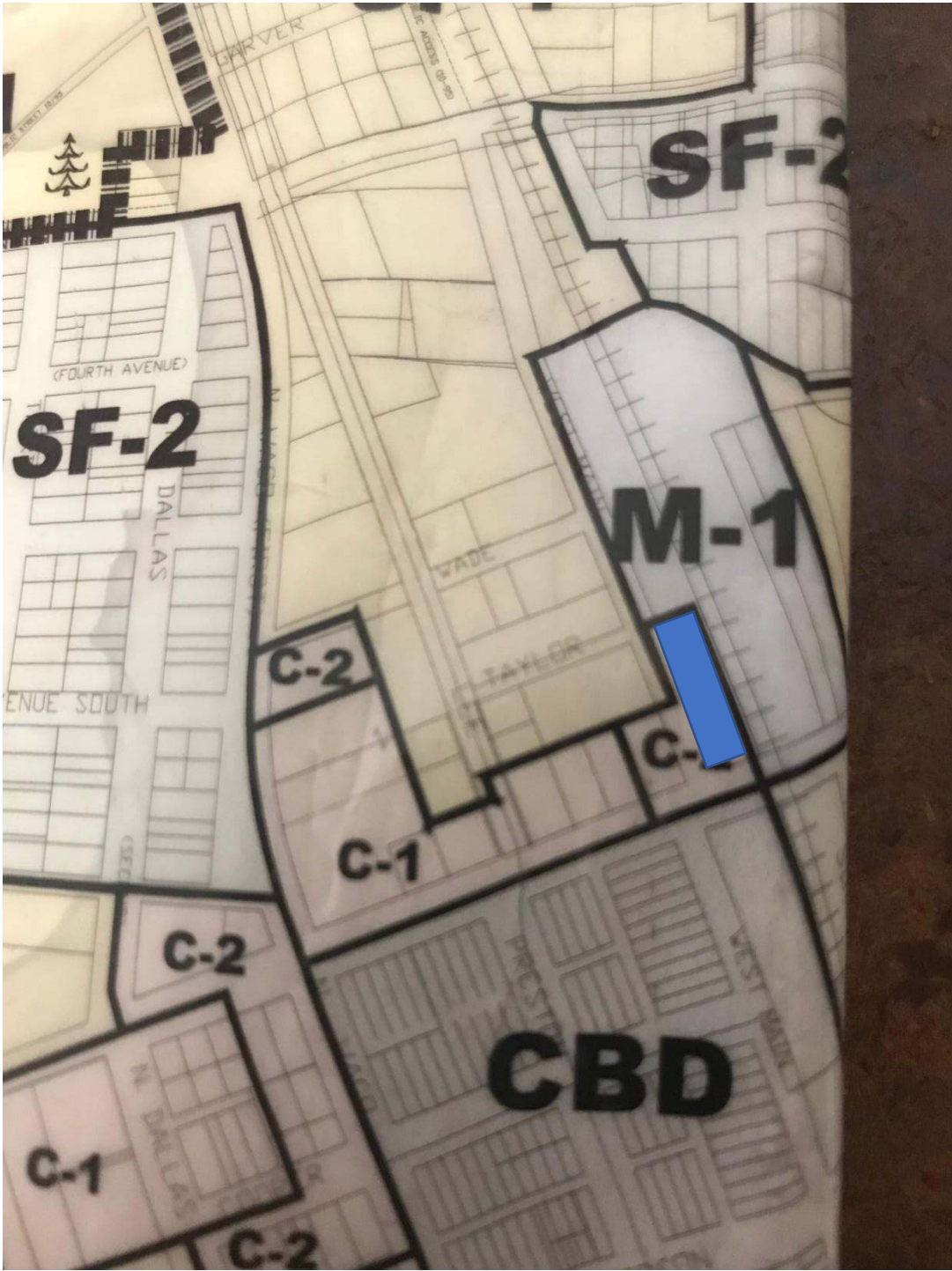


  
Kate A. Wagner, R.P.L.S. No. 6578  
May 10, 2018



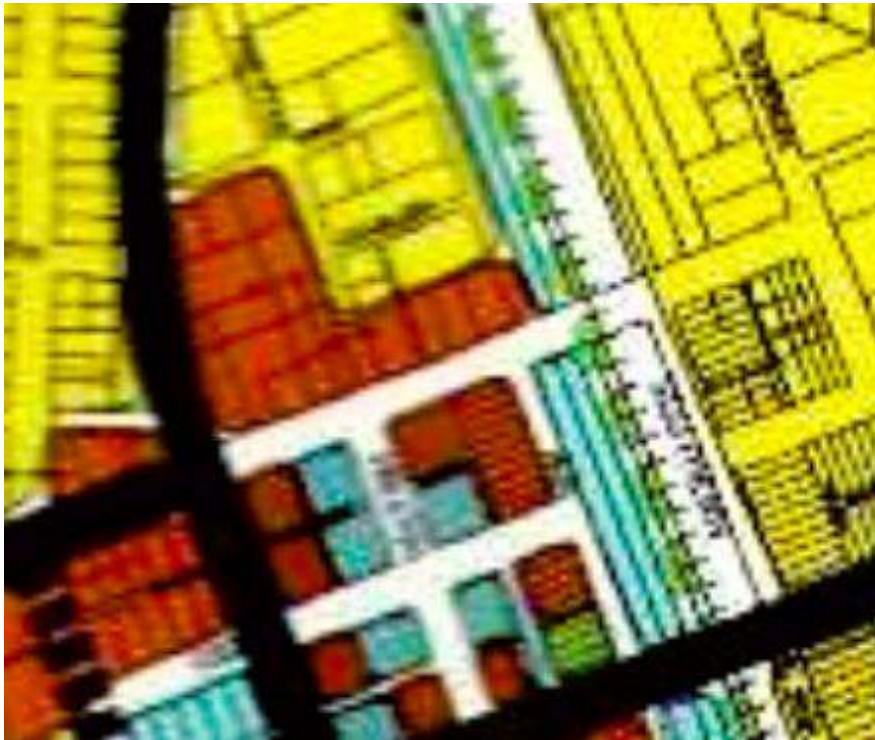
[illegible]

26168 Tract – Zoning Map





## 26168 Tract – Future Land Use Map



### 2003 – 2023 FUTURE LAND USE PLAN

-  SINGLE-FAMILY
-  MEDIUM DENSITY
-  HIGH DENSITY
-  COMMERCIAL
-  INDUSTRIAL
-  PUBLIC/SEMI-PUBLIC
-  PARKS
-  FLOOD HAZARD

 WALKING/JOGGING TRAIL

 MASS TRANSIT STATION

1  
2  
3

4

5

















