



**NOTICE OF
SPECIAL MEETING OF THE BOARD OF ADJUSTMENTS
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN AVENUE, HICKORY CREEK, TEXAS 75065
WEDNESDAY, APRIL 21, 2021, 6:00 PM**

AGENDA

Call to Order

Roll Call

Pledge of Allegiance to the U.S. And Texas Flags

Invocation

Public Comment

This item allows the public an opportunity to address the Board of Adjustment. To comply with the provisions of the Open Meetings Act, the board cannot discuss or take action on items brought before them not posted on the agenda. Please complete a request if you wish to address the board. Comments will be limited to three minutes. Open Forum is for information only. No charges and/or complaints will be heard against any elected official, board member, the Town, or employee of the Town that are prohibited by law.

Consent Agenda

Items on the Consent Agenda are considered to be self-explanatory and will be enacted with one motion. No separate discussion of these items will occur unless so requested by at least one member of the Board of Adjustments.

1. March 16, 2021 Meeting Minutes

Regular Agenda

2. Conduct a public hearing regarding a request from Lisa Kupersmith for a variance of Ordinance 2014-05-721 establishing a zoning designation of Planned Development for the Shadow Creek Addition, Exhibit B (5), (E) Lot Areas and Setbacks and Exhibit C and consider and at on the same. The property is located at 329 Kellan Court and is legally described as Shadow Creek Estates Phase II, Block E, Lot 6.

Adjournment

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact Town Hall at 940-497-2528 or by fax 940-497-3531 so that appropriate arrangements can be made.

I, Chris Chaudoir, do hereby certify, that this meeting notice was posted on the bulletin board at Town Hall, 1075 Ronald Reagan Avenue, Hickory Creek, Texas on April 5, 2021 at 10:00 a.m.

A handwritten signature in cursive script that reads "C Chaudoir". The signature is written in black ink and is positioned above a horizontal line.

Chris Chaudoir
Town of Hickory Creek

**REGULAR MEETING OF THE BOARD OF ADJUSTMENTS
HICKORY CREEK TOWN HALL
1075 RONALD REAGAN, HICKORY CREEK, TEXAS
TUESDAY, MARCH 16, 2021**

MINUTES

In response to the coronavirus pandemic, effective March 16, 2020, Texas Governor Abbott suspended certain Open Meeting rules to allow meetings of government bodies that are accessible to the public to decrease large groups of people from assembling. The suspension temporarily removes the requirement that government officials and members of the public be physically present at a meeting location.

Call to Order

Meeting called to order at 7:36 p.m. by Chairman Crawford

Roll Call

PRESENT

Chairman Larry Crawford
Vice-Chairman Joey Hernandez
Member David Jones
Member Jan Bowman
Member Brian Engle
Alternate 2 Dennis Day

ABSENT

Alternate 1 Alex Valderrey

ALSO PRESENT

Trey Sargent, Town Attorney
Ian Theodore, Council Liaison
John Smith, Town Administrator
Chris Chaudoir, Administrative Assistant

Pledge of Allegiance to the U.S. And Texas Flags

Pledge of Allegiance to the U.S and Texas Flags led by Chairman Crawford

Invocation

Invocation given by Councilman Theodore

Public Comment

No Public Comment

Consent Agenda

1. December 15, 2020 Meeting Minutes

Motion to accept the minutes made by Member Jones, Seconded by Vice-Chairman Hernandez.

Voting Yea: Chairman Crawford, Vice-Chairman Hernandez, Member Jones, Member Bowman, Member Engle. Motion passed unanimously.

Regular Agenda

2. Conduct a public hearing regarding a request from BBBG Properties LLC for a variance of Chapter 14, Exhibit A, Article IX SF-3 Residential District, Section 2 (g) Accessory Building and Section 3 (2) and (3) Side and Rear Yard setback and consider and act on the same. The property is located at 203 Oak Tree Lane and is legally described as Harbor Grove Estates, block A, lot 7.

Public Hearing opened at 7:42 p.m.

Emily Belf and Ben Gerhauser, BBBG Properties LLC, stated they were looking for a variance for the shop in the rear from the setback requirements.

William Faraoni, 205 Oak Tree, said the previous owner had moved the large shed building to the side of the property onto the Faraoni property per his survey. It was used to store furniture. Mr. Faraoni stated the previous owner promised him several times it would be removed. Mr. Faraoni also assisted the owner with a remodel of the property which was done without permits. When the property was listed for sale, he again told the previous owner to remove the shed and warned him not to list it as a living space. When the property sold, he met with the new owners and was told the house would be a weekend getaway and not used as an Airbnb. The house is listed as an Airbnb and the renters create a great deal of noise and traffic in the neighborhood. They leave dogs unattended to bark and he has also seen drug activity.

Catherine Faraoni, 205 Oak Tree, stated they have lived in the neighborhood for 10 years and love it, but it is being ruined by the activity next door. Her husband did help Scott McBride, the previous owner, with the property and they were told the shed would be moved. Runoff from the top of the shed runs onto their property.

Daniel Moses, 215 Oak Tree, stated the Airbnb does use the shed as an extra bedroom. He said he had gone on the Airbnb website and made a reservation for 10 people. The house is a fire hazard and creates tons of traffic every night.

Richard Fengler, 513 Harbor, said he saw 2 main issues. Number 1 was the shed being over the property line and the second was the possibility of civil litigation if

the variance was allowed. He felt there was plenty of room for equipment on the property without having various sheds and the electricity and lighting was a problem. He recommends denial of the application.

Emily Belf said nothing was being done to disturb the neighbors. There is a 6-person limit on the rental. The property was purchased furnished and as is and was never an issue with the neighbors. The survey shows the large shed to be on their property. That space is not being used as a living space and does not have plumbing.

Ben Gerhauser stated that the issues only seemed to be found after they purchased the property. The 3 other sheds in the back yard are all metal, they are not a fire hazard and are the same type most people have. The property is the same as it was when it was purchased. The only problem seems to be it is used as an Airbnb and causes traffic.

Vice-Chairman Hernandez asked about the amount of equipment stored in the multiple sheds and about the lighting and electric in the main shed.

Emily Belf stated they have never denied the property was used as an Airbnb. They are careful to screen the renters and there is a 6-person minimum. The property is in the same condition as when it was purchased. The shed is not advertised as a bedroom but is an asset to the property, adding value and the neighbor knew it was listed that way.

Trey Sargent, town attorney, reminded the commission that the applicant only had the burden of proving that there was a special circumstance or condition on the property that was not applicable to other properties in the zoning district making it necessary for a variance to be approved. Not economic concerns but a condition making it impossible to comply with the ordinance.

Chairman Crawford stated he had researched the Denton Central Appraisal website and found that the only 2 taxed structures on the property were the main structure and the deck. He pointed out that, according to the county's taxable property documentation, the other outbuildings should be taxable but no taxes have been paid on them.

Councilman Theodore asked about easements and setback on the property. Ms. Chaudoir responded it was zoned as SF-3 and had 6-foot rear and side setbacks for the sheds. Member Engle confirmed that measurement was from the property line.

Ms. Belf stated the survey provided showed the shed was on or near the property line not over it. Mr. Gerhauser added that removing the shed would incur significant expense. Ms. Belf said she had provided Ms. Chaudoir with a list of other properties in the neighborhood that also had buildings that were close to or on the property

line. Mr. Sargent reminded the Commission that they were considering unique characteristics on the property under discussion that necessitated the variance.

Member Jones stated it seemed to him that it was a case of conflicting surveys and whose was correct. He also asked for clarification on the 6-person minimum occupancy of the rental. Ms. Belf stated she may have misspoken, and it was a maximum of 6 people. She and Mr. Gerhauser reiterated that they were trying to maintain what they had purchased.

Pam Barnes, 201 Oak Tree, stated her view that the codes were there for a reason and this property should not be exempt from them. Due diligence should have been done prior to purchase to ensure the property was in compliance. She said the property was a fire hazard and that she had witnessed Mr. Faraoni measure from his house to the shed per his survey and the shed was on his property.

Ms. Belf stated the issues were not brought to their attention until after the property was purchased. Mr. Faraoni stated the shed was over by 7 inches and the situation was going to give him a stroke.

Public Hearing closed at 8:30 p.m.

Discussion was held regarding the area zoning. Ms. Chaudoir explained the neighborhood was platted in the 1950s and the current zoning ordinance went into effect in 1988. Anything built after the ordinance had to meet the criteria but, if it was in place prior to that time, there was nothing that could be done with it.

Councilman Theodore stated his opinion that discussions needed to happen between the current owners, previous owners, and the neighbor.

Member Bowman asked if it was possible for them to step back and access the situation before making a decision. Mr. Sargent said they would need to make their decision.

Motion to deny approval of the variance made by Member Jones, Seconded by Vice-Chairman Hernandez. Mr. Sargent reminded the Commission members that a Yea vote would be a vote to deny the variance.

Voting Yea: Chairman Crawford, Vice-Chairman Hernandez, Member Jones, Member Bowman, Member Engle. Motion passed unanimously.

Adjournment

Motion to adjourn made by Vice-Chairman Hernandez, Seconded by Member Engle.

Voting Yea: Chairman Crawford, Vice-Chairman Hernandez, Member Jones, Member Bowman, Member Engle. Motion passed unanimously.

TOWN OF HICKORY CREEK BOARD OF ADJUSTMENTS

March 16, 2021

Page 5

Meeting adjourned at 8:36 p.m.

Approved:

Attest:

Larry Crawford, Chairman
Position 2
Board of Adjustments

Chris Chaudoir,
Administrative Assistant
Board of Adjustments

Please attach a copy of the deed to the property. If you are currently purchasing the property, please include a copy of the contract for the purchase of the property. Also include a copy of any and all restrictive covenants pertaining to any property to be developed or rezoned.

Appeals and Zoning Changes

What is the proposed use?

To build a 10x12 storage building 3 feet within the property line instead of the allotted 15 feet.

Why do you believe that the approval of the request would be in harmony with the character of the neighborhood?

This requested variance within 3 feet of the property line and the location of the storage unit allows me to build the unit at an acceptable height, while meeting the HOA height requirement. The placement is at the lowest point and levelness of the back yard. If the unit was built outside the 15 foot property line, I would lose about a 20 inches in height and would have to cut down a tree. At 3 feet the unit would be further away from the immediate neighbors and backs up to the Corp of Engineers. The South side has an 8 foot fence and would pose no issues to the neighbors to the South.

Why do you believe that the approval of this request would not be detrimental to the property or persons in the neighborhood?

The back fence line with the 15 foot setback backs up to the Corp of Engineers. I have reached out to the Corp of engineers but to date, have not heard back as to whether there are any objections. See Exhibit D. The side fence line with the 15 foot setback has a 8 feet tall fence and should have no affect on neighborhoods to the South. The neighbors to the right and left of me per Mark and Eric have no objections. The HOA has no issues as well. See Exhibit B and C.

Why do you believe that there is a need in this area for the uses that would be allowed under this proposed zoning change?

Due to the strict HOA height requirements, I would not be able to build the unit within an acceptable height. According to the HOA height requirements, the unit cannot be seen from the street or immediate neighbors' property at ground level. Any other area in the backyard would be closer to the immediate neighbors and would not have the benefit of the trees obscuring any part of the building unit. This area is at the lowest point and most level area. Enabling me to build 3 feet from the property gives me an additional 20 inches of height from the highest point to the lowest point. See photographs marked as Exhibit E.

Lien holder:

Is the property burdened by a lien of any nature? () Yes (x) No

If so, describe the lien and give the name and address of lien holder and secure their consent to the requested zoning change with their signature.

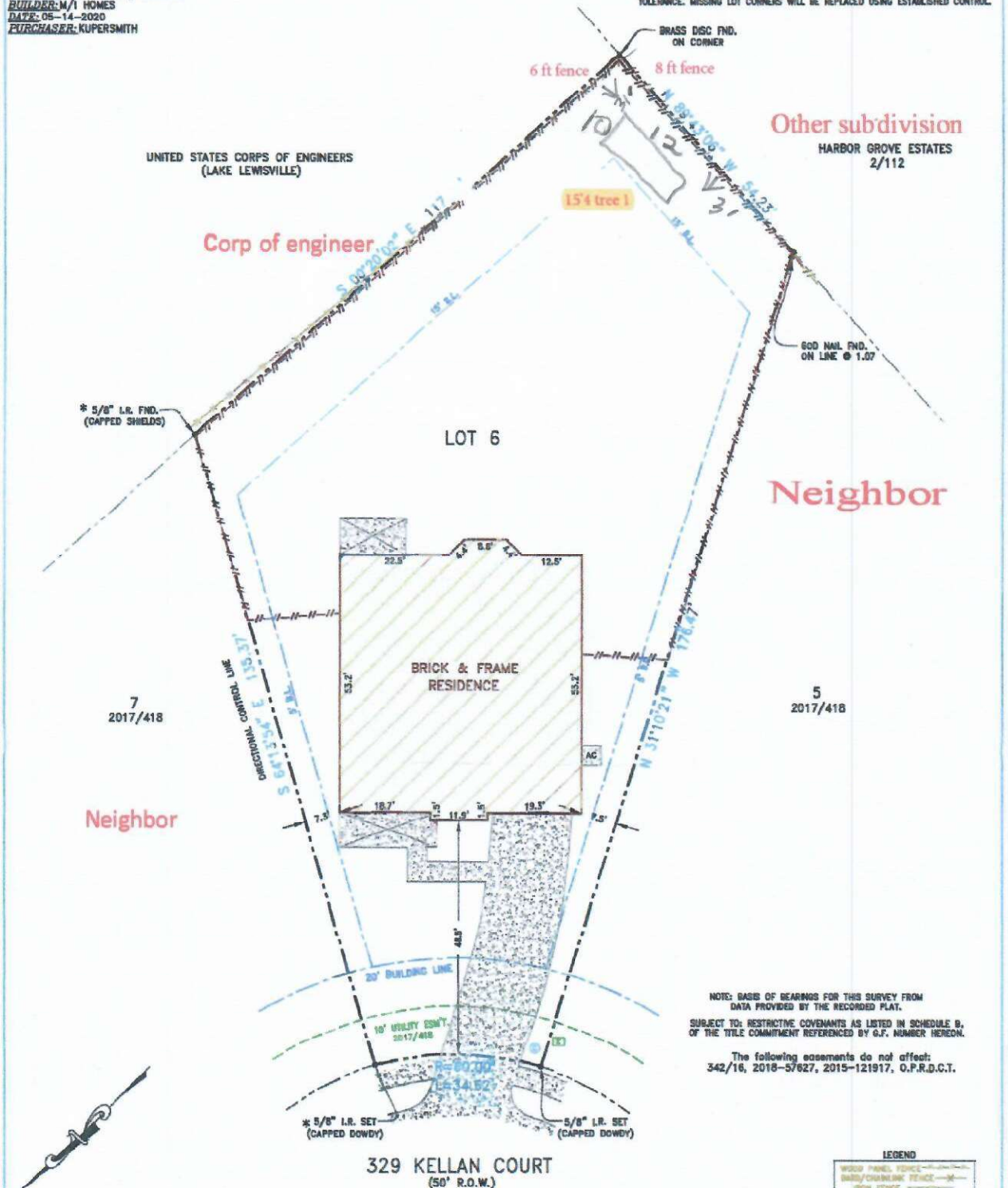
Other:

Approximate cost of work involved? 4,000

Include a site plan drawing of the site.

REFERENCE NO: 191204019
 TITLE CO-M/1 TITLE GF# 3004179
 BUILDER: M/1 HOMES
 DATE: 05-14-2020
 PURCHASER: KUPERSMITH

NOTE: HORIZONTAL CONTROL FOR THIS SURVEY WAS ESTABLISHED BY DATA PROVIDED BY THE PLATTING SURVEYOR AND VERIFIED BY DOWDY LAND SURVEYORS TO BE WITHIN TOLERANCE. MISSING LOT CORNERS WILL BE REPLACED USING ESTABLISHED CONTROL.



SCALE: 1"=50'

PROPERTY DESCRIPTION: Lot 6, Block E, of Shadow Creek Estates, Phase II, an addition to the Town of Hickory Creek, Denton County, Texas, according to the Plat thereof recorded under Clark's File No. 2017-418, Plat Records, Denton County, Texas.

SURVEYOR'S STATEMENT: The undersigned Registered Professional Land Surveyor has prepared this survey for the exclusive use of the herein named home builder and title company only. The undersigned acknowledges that this survey was conducted by the surveyor or under his supervision on the date shown hereon; this plat of survey and the property description set forth hereon are an accurate representation of facts found at the time of an actual on-the-ground survey; there are no visible, above ground encroachments, or protrusions, except as shown. The use of this survey by any parties other than those named above for any other purposes shall be at the user's own risk and any loss resulting therefrom shall not be the responsibility of the undersigned. Unauthorized use is not permitted without the express written permission of Dowdy Land Surveyors, Inc.

NOTE: BASIS OF BEARINGS FOR THIS SURVEY FROM DATA PROVIDED BY THE RECORDED PLAT.
 SUBJECT TO: RESTRICTIVE COVENANTS AS LISTED IN SCHEDULE B, OF THE TITLE COMMITMENT REFERENCED BY G.F. NUMBER HEREON.
 The following easements do not affect:
 342/16, 2018-57827, 2015-121917, O.P.R.D.C.T.

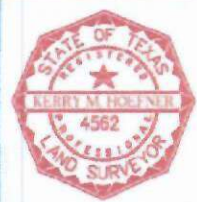
LEGEND

WOOD PANEL FENCE	CABLE BOSS
BRICK/CONCRETE FENCE	ELEC. BOX
IRON FENCE	TRANSFORMER
TELEPHONE	SPR.
ELECTRIC	WATER METER
CONTROL MONUMENT	WATER VALVE
WOOD	STONE
CONCRETE	BRICK
TILE	ASPHALT



Kerry M. Hoefner
 KERRY M. HOEFNER, R.P.L.S. No. 4562

DOWDY LAND SURVEYORS, INC.
 6850 MANHATTAN BLDV. SUITE 310
 FORT WORTH, TEXAS 76120
 (817) 428-8898



CHECKED BY: KMH DRAWN BY: RJ

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Exhibit A

EXHIBIT B

Hickory Creek Residential
a
PLANNED DEVELOPMENT
Town of Hickory Creek, Texas

1) PROPERTY LOCATION AND SIZE.

Hickory Creek Residential (HCR) is established on property located generally west of Ronald Reagan Ave. and east of Harbor Lane with frontage on the South side of Turbeville Road and access to the north side of Strait Lane. This Planned Development is comprised of six (6) tracts of land consisting of approximately 35 gross acres, more particularly described on Exhibit 'A' and shown on the Exhibit 'C' Development Plan, which is attached hereto for all purposes.

2) PURPOSE.

To create a Planned Development for ninety-six (96) single family residential lots. The minimum gross density and a net density are as shown on the Development Plan. Enhanced entries will be provided at the connection points to Turbeville Rd.

3) DEVELOPMENT PLAN.

The proposed Development Plan as shown on Exhibit 'C' will be in complete accordance with the provisions of the approved Planned Development and shall be binding upon the applicant thereof, his successors and assigns, and shall limit and control all building permits.

4) COMMUNITY ARCHITECTURAL CONTROLS.

A) An Architectural Control Committee will govern the architectural attributes within this Planned Development.

B) Architectural attributes for this residential development will consist of the following:

- a. The front entry to a house will be well -defined and kept proportional to the house. The front entry will be designed so as not to distract from the rest of the house.
- b. Only specialty windows such as box windows or circular windows may be flush mounted to the exterior face of the house, all other windows are to be inset to create relief on the elevations.
- c. Facades will avoid large expanses of uninterrupted single exterior materials and must be broken up by changes in plane, window placement, window trim, or color changes.
- d. Shutters, if provided, will be sized and shaped to match the associated openings.
- e. Gutters, if provided, will be copper, galvanized steel, aluminum or painted if exposed to the street.
- f. All asphalt roof shingles will be laminated architectural shingles with a three dimensional appearance and warranted for at least thirty (30) years.

- g. A minimum roof pitch of 8:12 (inches of rise per inches of run) from side to side will apply to the predominant roof except a tile or slate roof may have a minimum roof pitch of 5: 12 from side to side. A variety of roof pitches may be incorporated into the roof design provided that the predominant roof has at least an 8:12 pitch. Porch roofs shall have a minimum 4: 12 pitch.
- h. In order to encourage variety on a continuous block, the exterior facades for houses will vary within every 6 houses. When a house is constructed the same combination of brick, stone, masonry-like materials, and paint will not be used within five (5) houses on either side of that house.
- i. Exterior facades will be 100% masonry on the front and a minimum of 90% masonry on the sides and rear. Masonry includes brick, stone, and stucco. The exception to this are walls over the roof such as bay or dormer windows, chimneys, or Fireplaces.
- j. All garages will have decorative wood or metal doors. Design between garage and home shall use same or complementary colors and materials.
- k. All exposed wood accents and wooden garage doors will be stained and sealed or painted for protection and regularly maintained.
- l. Decorative street lighting will be utilized and will conform to Town of Hickory Creek standards.
- m. The landscape design along Turbeville Road will utilize enhanced brick or stone screen walls and architectural features (i.e., monument signage, "tower" monumentation, wrought iron, etc.).
- n. All common open space, landscaping, private roads, and screening walls will have a mandatory Home Owners Association (HOA) to maintain those improvements.
- o. All lots with rear yards or side yards facing open spaces and public right-of-way shall use wrought iron fencing that conform to the Town of Hickory Creek standards and will be installed by the builder.
- p. The side yards and rear yards of all residential lots that are not facing open spaces and public right-of-way shall have a 6' high wood privacy fence to be installed by the builder.
- q. All Lots on the South end of the Development Plan (Block A lots 41 through 45, Block E lots 10 through 12) shall include an 8' high wood privacy fence on the rear of the lot to be installed by the Builder.
- r. All wood privacy fencing will comply with the following requirements:
 - i. Use all cedar boards
 - ii. Treated on both sides with cedar tinted preservative or equal quality stain.
 - iii. Fence planks or panels must be at least five-eighths of one inch (5/8") in thickness. Fence planks or panels must have a gap between the ground and the wood to prevent rotting and decay.
 - iv. All vertical posts will be galvanized steel.
 - v. All materials will be securely fastened (i.e. vertical boards to horizontal stringers, stringers to vertical posts) and be free from rot, rust, vandalism, and other sources of decay.
- s. Home Interior Features: No Formica counters will be used in kitchens or bathrooms.

No vinyl flooring will be used in kitchens or bathrooms. No blown acoustical ceilings will be allowed. Crown molding will be installed in all living rooms unless vaulted or pop up ceilings are utilized.

5) **GENERAL CONDITIONS.**

A) Landscaping and Open Space:

- a. There will be a minimum of two 3" caliper trees per residential lot located in the front yard. There will be a minimum of one 3" caliper tree planted in the rear yard. All tree locations and types will conform to the Town of Hickory Creek ordinances.
- b. All lawns and landscaping will be irrigated.
- c. Landscaping will be provided for by the developer at both entries off of Turbeville Road.
- d. Minimum number of trees to be planted are as follows:
 - i. 3 – 3" caliper trees per residential lot X 98 lots = 294 trees.
 - ii. 20 – 3" caliper trees planted within open space areas.

B) Tree Preservation:

- a. All requirements of the Town of Hickory Creek Tree Preservation Ordinance will apply.

C) Right-Of-Way:

- a. Street right-of-way will be equal to 50' in width.

D) Lot coverage:

- a. Maximum Lot coverage will be equal to 55% of the total lot area.

E) Lot Area and Setbacks:

- a. Lot areas and setbacks will be as shown on the Exhibit 'C' Development Plan. Minimum lot size for a rectangular lot is 62' wide by 125' deep or 7,750 square feet as shown. Cul-de-sac lots are as shown on the Development Plan and vary in size due to their irregular shapes.

F) Minimum Floor Area per dwelling unit:

- a. Any lot less than 8,000 square feet will have a minimum of 1,900 square feet of dwelling space.
- b. Any lot at or over 8,000 square feet will have a minimum of 2,100 square feet of dwelling space.

G) Perimeter Walls/Screening:

- a. The perimeter walls adjacent to Turbeville Road will be a minimum of 6' in height and constructed of 100% masonry and wrought iron. No more than 40% of the wall will be wrought iron.

H) Detention Requirements

- a. This Development Plan will be designed in accordance with the Town of Hickory Creek drainage requirements and may include various detentioning systems as required by the Town Engineer and local ordinances. It is understood that some of these systems may reduce the total number of lots shown on the Development Plan.

I) Sidewalk Requirements

- a. A Sidewalk will be required along all public Right-of-Way throughout the development on a minimum of one side of the road. Proposed sidewalks along

residential lots are to be constructed by the home builder at the time of home construction each residential lot. All residential lots will have a sidewalk.

J) Water and Wastewater:

- a. Water and wastewater stubs shall be installed under the roadway to accommodate connections for future development of the Collins property.
- b. Water stub and fire hydrant shall be installed adjacent to the proposed connection at Strait Lane.

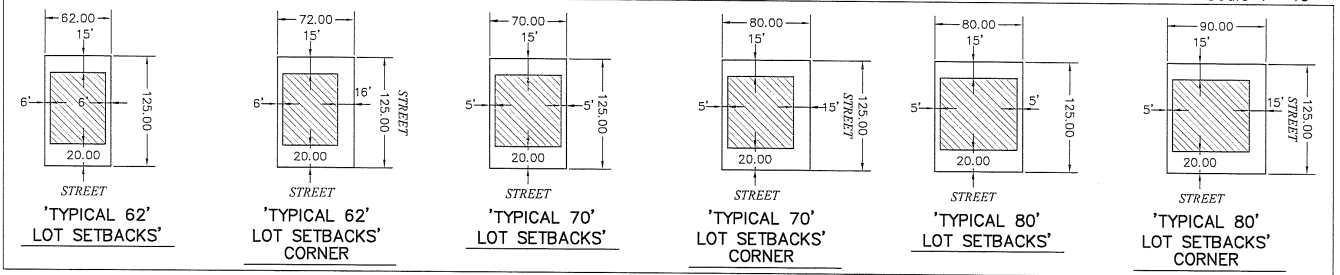
K) Turbeville Road Improvements:

- a. Developer will reimburse the Town for the south half of the road improvements to Turbeville Road that are adjacent to the Property at the time a building permit is issued.

6) **HOMEOWNERS ASSOCIATION:**

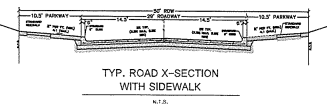
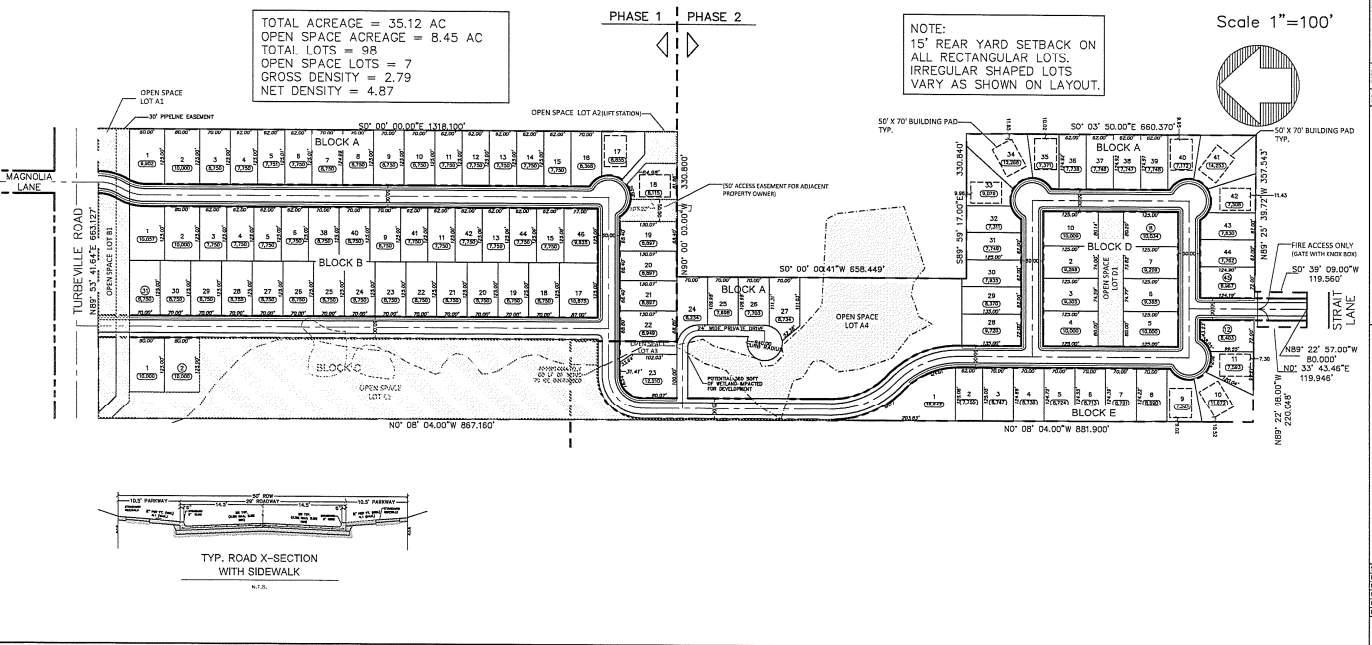
- A) A mandatory owners association will be responsible for the maintenance of the common landscape areas within the development.
- B) The Owners Association and associated documents will be filed in accordance with the Town of Hickory Creek policies. These documents must be reviewed by the Town Attorney prior to final approval by the Town of the construction of the subdivision. The documents will be filed at Denton County when deemed necessary by the attorney. The documents will be submitted in a timely manner to allow for a minimum 60 day review. Failure to submit the documents or incomplete documents may result in delay of acceptance of the subdivision or delay in approval of a building permit. The Town does not accept the responsibility for any delays in construction approval or acceptance of the subdivision caused by the failure to submit the association documents or the inaccuracy of the documents.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]



TOTAL ACREAGE = 35.12 AC
 OPEN SPACE ACREAGE = 8.45 AC
 TOTAL LOTS = 98
 OPEN SPACE LOTS = 7
 GROSS DENSITY = 2.79
 NET DENSITY = 4.87

NOTE:
 15' REAR YARD SETBACK ON ALL RECTANGULAR LOTS. IRREGULAR SHAPED LOTS VARY AS SHOWN ON LAYOUT.



evolving
 Total & Professional Engineering & Surveying
 117-527-7209
 P.0181002021.CDW

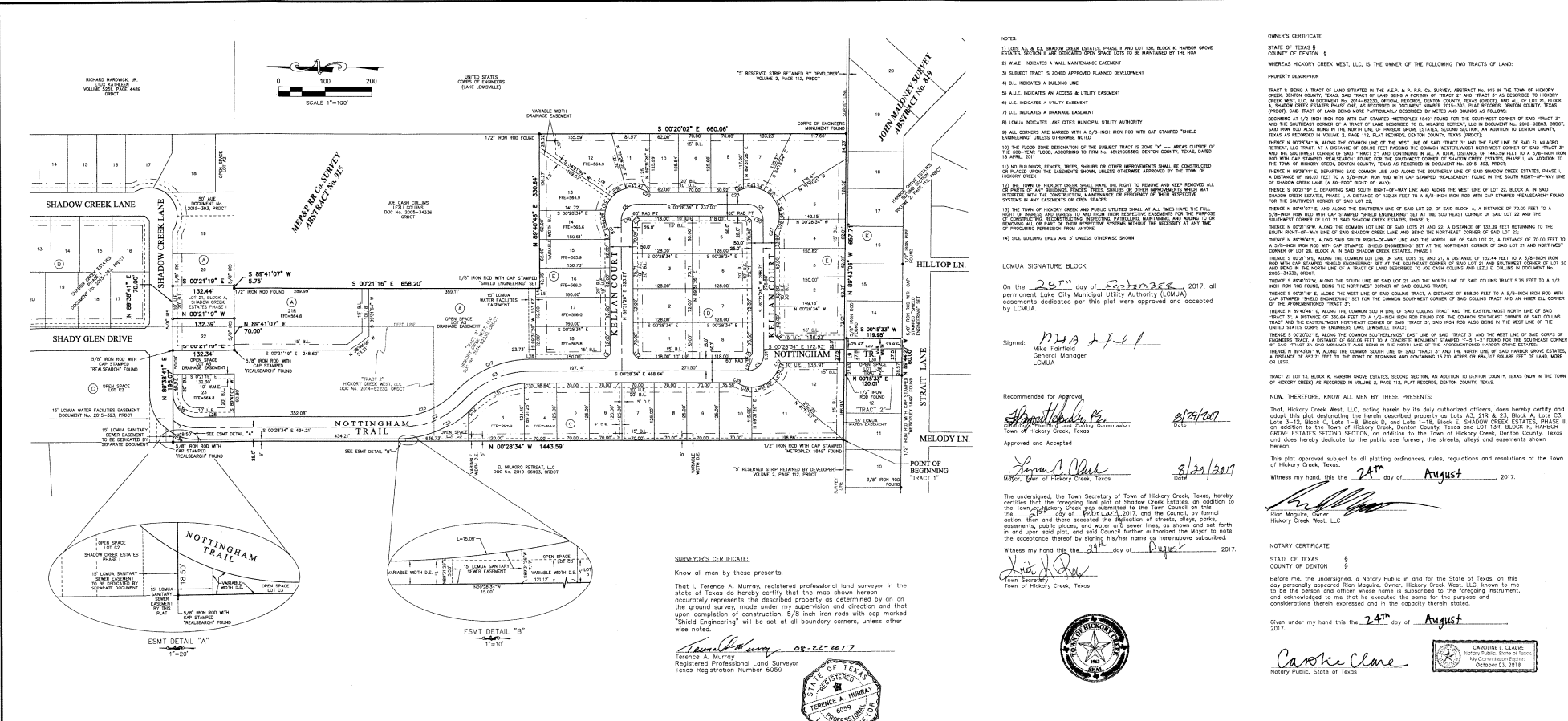
NO.	DATE	REVISIONS

CHC Development
 Hickory Creek
 Texas

Hickory Creek Addition

SCALE:	AS SHOWN
DRAWN BY:	
DESIGNED BY:	
CHECKED BY:	
PROJECT NO.:	
DATE:	05/14/14

1 of 1



- NOTES
- 1) LOTS A3, B1 & C1, SHADOW CREEK ESTATES, PHASE II AND LOT 10, BLOCK K, HARBOR GROVE ESTATES, PHASE II ARE DESIGNATED OPEN SPACE LOTS TO BE MAINTAINED BY THE HOA.
 - 2) MAKE INDICATES A WALL MAINTENANCE EASEMENT
 - 3) SUBJECT TRACT IS ZONED APPROVED PLANNED DEVELOPMENT
 - 4) ALL INDICATES A REVENUE LINE
 - 5) ALL INDICATES AN ACCESS & UTILITY EASEMENT
 - 6) SEE INDICATES A UTILITY EASEMENT
 - 7) SEE INDICATES A DRAINAGE EASEMENT
 - 8) LUNA RECORDS LANE UTILITY MUNICIPAL UTILITY AUTHORITY
 - 9) LUNA RECORDS LANE UTILITY MUNICIPAL UTILITY AUTHORITY
 - 10) ALL CONCRETE ARE MARKED WITH A 5/8-INCH IRON ROD WITH CAP STAMPED "SHIELD ENGINEERING" UNLESS OTHERWISE NOTED
 - 11) ALL BUILDING, FINISH, TRAIL, SHEDS OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED BY THE CONTRACTOR, UNLESS OTHERWISE SPECIFIED BY THE OWNER OR HOA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HICKORY CREEK, TEXAS, AND THE COUNTY OF DENTON, TEXAS, PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HICKORY CREEK, TEXAS, AND THE COUNTY OF DENTON, TEXAS, PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HICKORY CREEK, TEXAS, AND THE COUNTY OF DENTON, TEXAS, PRIOR TO COMMENCING CONSTRUCTION.
 - 12) THE OWNER OF ANY OPEN SPACE SHALL HAVE THE RIGHT TO REMOVE AND MAINTAIN ALL OPEN SPACE AREAS AND TO PROVIDE FOR THE PROTECTION AND MAINTENANCE OF SUCH AREAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HICKORY CREEK, TEXAS, AND THE COUNTY OF DENTON, TEXAS, PRIOR TO COMMENCING CONSTRUCTION.
 - 13) THE OWNER OF ANY OPEN SPACE SHALL HAVE THE RIGHT TO REMOVE AND MAINTAIN ALL OPEN SPACE AREAS AND TO PROVIDE FOR THE PROTECTION AND MAINTENANCE OF SUCH AREAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF HICKORY CREEK, TEXAS, AND THE COUNTY OF DENTON, TEXAS, PRIOR TO COMMENCING CONSTRUCTION.
 - 14) SEE BUILDING LANE AND 5/8" UNLESS OTHERWISE SHOWN

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §

I, **HICKORY CREEK WEST, LLC**, IS THE OWNER OF THE FOLLOWING TWO TRACTS OF LAND:

PROPERTY DESCRIPTION

TRACT 1: BEING A TRACT OF LAND SITUATED IN THE M.E.P. & P.R.R. CO. SURVEY, ABSTRACT NO. 915 IN THE TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS, BEING LOTS 1, 2 AND 3, BLOCK A, SHADOW CREEK ESTATES, PHASE II, AS RECORDED IN DOCUMENT NUMBER 2015-393, PLAT RECORDS, DENTON COUNTY, TEXAS.

TRACT 2: BEING A TRACT OF LAND SITUATED IN THE M.E.P. & P.R.R. CO. SURVEY, ABSTRACT NO. 915 IN THE TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS, BEING LOTS 1, 2 AND 3, BLOCK A, SHADOW CREEK ESTATES, PHASE II, AS RECORDED IN DOCUMENT NUMBER 2015-393, PLAT RECORDS, DENTON COUNTY, TEXAS.

LUNA SIGNATURE BLOCK

On this 28th day of September, 2017, all permanent Lane City Municipal Utility Authority (LUMA) easements delineated per this plat were approved and accepted by LUMA.

Signed: *[Signature]*
Mike Fairford
General Manager
LUMA

Recommended for Approval
[Signature]
Approved and Accepted
[Signature]
Mayor, City of Hickory Creek, Texas

The undersigned, the Town Secretary of Town of Hickory Creek, Texas, hereby certifies that the foregoing final plat of Shadow Creek Estates, on addition to the town of Hickory Creek was submitted to the Town Council on this 28th day of September, 2017, and the Council, by formal action, then and there accepted the application of streets, utility, drainage, easements, public utility, and sewer lines, as shown and set forth herein, and the Council further authorized the Mayor to make the acceptance thereof by signing his/her name as hereinafore subscribed.

Witness my hand this 28th day of September, 2017.

[Signature]
Town of Hickory Creek, Texas

NOTICE

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the Town of Hickory Creek, Texas.

Witness my hand, this 28th day of August, 2017.

[Signature]
Mayor, City of Hickory Creek, Texas

NOTARY CERTIFICATE

STATE OF TEXAS §
COUNTY OF DENTON §

Before me, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Ron Moquin, Owner, Hickory Creek West, LLC, known to me to be the person and other whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and consideration therein expressed and to the capacity therein stated.

GIVEN UNDER MY HAND THIS 24th day of August, 2017.

[Signature]
Notary Public, State of Texas

SURVEYOR'S CERTIFICATE

Know all men by these presents:

That I, Terence A. Murray, registered professional land surveyor in the State of Texas do hereby certify that the map shown hereon accurately represents the described property as determined by me on the ground survey, made under my supervision and direction, and that upon completion of construction, 5/8 inch iron rods with cap marked "Shield Engineering" will be set at all boundary corners, unless other wise noted.

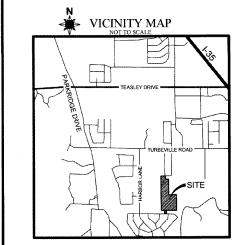
[Signature]
Terence A. Murray
Registered Professional Land Surveyor
License Registration Number: 6009

LINE TABLE

LINE	DISTANCE	BEARING
L1	14.18	S 02°20'21" E
L2	14.18	S 02°20'21" E
L3	14.18	S 02°20'21" E
L4	14.18	S 02°20'21" E
L5	14.18	S 02°20'21" E
L6	14.18	S 02°20'21" E
L7	14.18	S 02°20'21" E
L8	14.18	S 02°20'21" E
L9	14.18	S 02°20'21" E
L10	14.18	S 02°20'21" E
L11	14.18	S 02°20'21" E
L12	14.18	S 02°20'21" E
L13	14.18	S 02°20'21" E
L14	14.18	S 02°20'21" E
L15	14.18	S 02°20'21" E
L16	14.18	S 02°20'21" E
L17	14.18	S 02°20'21" E
L18	14.18	S 02°20'21" E
L19	14.18	S 02°20'21" E
L20	14.18	S 02°20'21" E
L21	14.18	S 02°20'21" E
L22	14.18	S 02°20'21" E
L23	14.18	S 02°20'21" E
L24	14.18	S 02°20'21" E
L25	14.18	S 02°20'21" E
L26	14.18	S 02°20'21" E
L27	14.18	S 02°20'21" E
L28	14.18	S 02°20'21" E
L29	14.18	S 02°20'21" E
L30	14.18	S 02°20'21" E

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	54.89	75.00	41°55'21"	S 07°28'22" W	55.87
C2	159.07	200.00	49°54'32"	S 23°19'42" E	154.92
C3	159.07	200.00	49°54'32"	S 23°19'42" E	154.92
C4	54.19	34.50	90°20'00"	S 45°28'34" E	48.79
C5	54.19	34.50	90°20'00"	N 44°31'26" E	48.79
C6	54.19	34.50	90°20'00"	N 45°28'34" W	48.79
C7	178.87	175.00	49°54'32"	S 23°19'42" E	174.28
C8	178.87	175.00	49°54'32"	S 23°19'42" E	174.28
C9	51.47	60.00	31°07'01"	N 07°50'54" E	51.07
C10	51.47	60.00	31°07'01"	N 07°50'54" E	51.07
C11	51.47	60.00	31°07'01"	N 07°50'54" E	51.07
C12	51.47	60.00	31°07'01"	N 07°50'54" E	51.07
C13	51.47	60.00	31°07'01"	N 07°50'54" E	51.07
C14	51.47	60.00	31°07'01"	N 07°50'54" E	51.07
C15	51.47	60.00	31°07'01"	N 07°50'54" E	51.07
C16	51.47	60.00	31°07'01"	N 07°50'54" E	51.07
C17	51.47	60.00	31°07'01"	N 07°50'54" E	51.07
C18	51.47	60.00	31°07'01"	N 07°50'54" E	51.07
C19	51.47	60.00	31°07'01"	N 07°50'54" E	51.07
C20	51.47	60.00	31°07'01"	N 07°50'54" E	51.07
C21	51.47	60.00	31°07'01"	N 07°50'54" E	51.07
C22	51.47	60.00	31°07'01"	N 07°50'54" E	51.07



Shield Engineering Group, PLLC

1500 West 7th Street, Suite 200
Frisco, Texas 75034
817.810.0699

SHEET: 1 OF 1

DATE: MAY 2014
REV: AUGUST 30, 2016
REV: NOVEMBER 15, 2016
REV: JANUARY 23, 2017

DRAWN: CDM
CHECKED: RMW

A FINAL PLAT OF
LOTS A3, B1, & C1, SHADOW CREEK ESTATES, PHASE II; LOTS 1-8, BLOCK D; LOTS 1-18, BLOCK E
SHADOW CREEK ESTATES PHASE II
AN ADDITION TO THE TOWN OF HICKORY CREEK,
BEING A REPLAT OF LOT 21, BLOCK A, SHADOW CREEK ESTATES, PHASE I,
AND ADDITION TO THE TOWN OF HICKORY CREEK,
AS RECORDED IN DOCUMENT NUMBER 2015-393,
PLAT RECORDS, DENTON COUNTY, TEXAS,
AND BEING A TOTAL OF 15.710 ACRES OF LAND SITUATED IN THE
M.E.P. & P.R.R. CO. SURVEY, ABSTRACT NO. 915
TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS

AND A REPLAT OF
LOT 13R, BLOCK K
HARBOR GROVE ESTATES
SECOND SECTION
AS RECORDED IN VOLUME 2, PAGE 112,
PLAT RECORDS, DENTON COUNTY, TEXAS,
BEING 0.220 ACRES OF LAND SITUATED IN THE
JOHN MALONEY SURVEY, ABSTRACT NO. 819
TOWN OF HICKORY CREEK, DENTON COUNTY, TEXAS

Filed for Record in the Official Records of:
Denton County
On: 09/28/2017 11:23:23 AM
In the PLAT RECORDS:
SHADOW CREEK ESTATES P
II Addition 2017-418
Number of Pages: 1
Recorded By: RMW
Order# 201709280009
By: 08