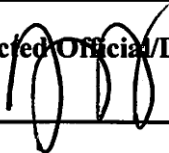


AGENDA PLACEMENT FORM

(Submission Deadline – Monday, 5:00 PM before Regular Court Meetings)

Date: January 17, 2025**Meeting Date:** January 27, 2025**Submitted By:** Julie Edmiston**Department:** Public Works**Signature of Elected Official/Department Head:****Court Decision:**

This section to be completed by County Judge's Office



1-27-2025

Description:

Consideration of Variance to allow The Retreat, Phase 29, to construct roads with 20' width of pavement, 60' radius for the cul-de-sac on Bayside Court, 15% roadway gradient along Eagle Oaks Drive, Hampton Pointe Lane, and Lakelands Lane. Install HDPE pipe for storm sewer culverts instead of corrugated metal pipe, 10' utility easements on front and rear lot lines, place water lines within the Right of Way, not to place sewer lines under the middle of the streets, and to allow conveyance of lots prior to electric service installation.

(May attach additional sheets if necessary)

Person to Present: Jennifer VanderLaan

(Presenter must be present for the item unless the item is on the Consent Agenda)

Supporting Documentation: (check one) ☒ PUBLIC ☐ CONFIDENTIAL

(PUBLIC documentation may be made available to the public prior to the Meeting)

Estimated Length of Presentation: 10 minutes**Session Requested:** (check one)☒ Action Item ☐ Consent ☐ Workshop ☐ Executive ☐ Other _____**Check All Departments That Have Been Notified:**☐ County Attorney ☐ IT ☐ Purchasing ☐ Auditor☐ Personnel ☒ Public Works ☐ Facilities Management

Other Department/Official (list) _____

**Please List All External Persons Who Need a Copy of Signed Documents
In Your Submission Email**

Approved in CC on 9/11/2023



Johnson County Public Works Department

Jennifer VanderLaan / Director of Public Works

2 North Mill Street, Suite 305

Cleburne, Texas 76033

817-556-6380

VARIANCE REQUEST

Johnson County Subdivision Rules and Regulations outline what is required under the adopted Rules and Regulations. To request a variance for a deviation or exception to those Rules and Regulations for a lot or tract (ex: road frontage, etc.) please provide the following information.

Variance fee is \$120 per request. This request will be presented to the Commissioner's Court for their decision.

Name Double Diamond, Inc. Date 01-03-2025

Phone Number 214-706-7857

Email Address rgracy@ddresorts.com

Property Information for Variance Request:

Property 911 address 7725 F.M. 1434, Cleburne, Tx. 76033

Subdivision name The Retreat, Phase 29 Block Multiple Lot Multiple

Survey T. Sparks and SP RR Co Abstract 820 and 814 Acreage 28.478

Request Reduced pavement width, cul-de-sac radius, maximum gradient, utility easements/location, HDPE pipe, conveyance prior to electric install. See attachment for more detail.

Reason for request To maintain consistency and conformity to the "master plan" throughout the development. See

accompanying letter from the Engineer/Surveyor (Jessie J. Ince, P.E., R.P.L.S.) for specific items requested and justification.

Provide the following with this request:

- ☒ Copy of plat (if property has been platted)
- ☒ Copy of property deed
- ☐ Survey or drawing showing existing structures

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:
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:
:

184 Thousand Oaks Drive
Whitney, Texas 76692
254-694-7708
jessie01@windstream.net
Firm #10068000

Ince Surveying & Engineering

January 16, 2025

Mary Bullock
Johnson County
Public Works
2 N Mill St. Suite 305
Cleburne, Tx 76033

RE: The Retreat Phase 29
Variance requests

Dear Ms. Bullock,

Each of the items for which we need to request a variance are listed below with justification:

VARIANCE #1 - Minimum Pavement width of 22'

The Retreat is a resort community on over 3,000 acres, with over 2,800 lots having been platted over the last 25 years and several miles of roads which have been maintained by the Resort. The standard roadway section has been a 20' roadway which we have been showing on your construction plans since Phase 9. Typically, within the resort, the road subgrades are taken down to rock. When the subgrades are on expansive materials, we provide lime stabilization, which typically exceeds the Johnson County Requirement. With the very low occupancy (approximately 150 existing homes) the narrower width has not resulted in any known traffic related problems, and the trade-off between the reduced width verses the extra strength as Grayson County has approved, has served our maintenance responsibilities well in both the Retreat and the Rock Creek Resort in Grayson County. **We are requesting a variance reducing the pavement width to 20'.**

VARIANCE #2 – Cul-de-sac Radius of 80'

Adhering to the 80' radius would make the lots at the end of Bayside Court undevelopable. **We are requesting a variance to use a 60' radius for this cul-de-sac.**

VARIANCE #3 – Maximum Roadway Gradient of 10%

The majority of the roadways in the Retreat are local streets whose primary function is to provide access to the adjacent residential lots. The rolling hills, bluffs and valleys of the Retreat make for a beautiful landscape and vistas, but give us challenges in meeting slope requirements. We have three locations where the 10% rule does not appear to add value to our project.

Along Eagle Oaks Drive from station 0+00 to 9+50 ,along Lakelands Lane from station 6+75 to station 8+50 and along Hampton Pointe Lane from station 3+75 to station 9+00 the natural grade exceeds 10%. To comply this with the 10% maximum gradient, you would have several lots where the buildable area for the homes will be more than 10' above or below the local street. Not only the costs to achieve the 10% gradient but the adjacent homeowner would be required to have steep and expensive driveways to access their homes. The variance appears to be the best method of overcoming the conflict between the steep slopes and affordable access to the lots and the proposed design has a maximum grade of 15% within the affected areas. Although we show a vertical curve tangent of 13% for computation purposes, the centerline tangent extends beyond the limits of the intersection return and the computed grades along Pine Valley Drive are less than 10%.

.....

Portions of The Retreat Boulevard have steeper slopes than we are proposing here and have been privately maintained and provided valuable access to the development for at least 20 years. We would hope that this proven track record will encourage the Commission's support of our request for variance in these two locations.

VARIANCE #4 - Utility Easements

The utility plan and layout for The Retreat is consistent across all Phases and has proven to be adequate, efficient, and to enhance the master plan for the development. **We are requesting variances to:**

- (a) reduce the utility and drainage easements along the front and rear of all lots from 15 feet to 10 feet.
- (b) place the water lines within the right of way.
- (c) not place the sewer lines under the middle of streets.

VARIANCE #5 - Use of HDPE Pipe for Storm Sewer culverts

The Retreat has been using HDPE pipe on most of their projects since 2015. Based on manufacturer's information the HDPE pipe, when properly bedded, will support more load, seals better and is more resistant to corrosion than the Corrugated Metal Pipe (CMP) specified in the Subdivision Ordinance. Double Diamond has found the HDPE pipes to be easier to handle, install and joint than CMP. Since they are responsible for the maintenance, they would prefer to continue the use of this material. We hope the Commission will consider the HDPE to be a support product and allow the continued use of this material for roadway culverts on this project.

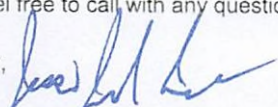
VARIANCE #6 – Conveyance of Lots prior to electric service installation

It is customary for rural electric companies to expand their lines as necessary to accommodate the infrastructure as building plans develop. Many areas will not see any construction for a considerable amount of time.

Phase 1 of The Retreat was approved by the Commissioners of Johnson County on May 14, 2002, and has been under development with a consistent "Master Plan" since that time. The design and layout of this Phase is consistent with that of the previous 28 Phases.

Please feel free to call with any questions.

Sincerely,


Jessie Joseph Ince, P.E., R.P.L.S.
Office: 254-694-7708
Cell: 254-602-2418

3 . .

CLTC GF# 27806845
BK 2812 PG 0711 JCS

11176

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

Date: APRIL 8th, 2002

Grantor: Thomas Hazlewood, Trustee

Grantor's Mailing Address: 1500 West Henderson
Cleburne, Texas 76033

Grantee: Double Diamond, Inc.

Grantee's Mailing Address: 10100 North Central Expressway, Suite 400
Dallas, Texas 75231

Consideration: Ten and No/100's Dollars (\$10.00) and a note of even date that is executed by Grantee, payable to the order of Lone Star Land Bank. The note is secured by a vendor's lien retained in favor of Lone Star Land Bank, in this deed and by a Deed of Trust and Assignment of Rents of even date from Grantee to GLENN R. PARR, Trustee, for the benefit of Lone Star Land Bank. Lone Star Land Bank, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the note described. The vendor's lien and superior title to the property are retained for the benefit of Lone Star Land Bank, and are transferred to that party without recourse on Grantor.

Property (including any improvements): See Exhibit "A" attached hereto

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is expressly made subject to the terms of any valid oil and gas leases, easements, restrictions, or zoning ordinances, to the extent that same may be in force and effect, covering or describing the above-described property.

Grantor, for the consideration and subject to the reservations from and 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 wise belonging, to have and hold it to Grantee and Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, by, through or under Grantor but not otherwise.

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

SIGNED this 8th day of APRIL, 2002.



Thomas Hazlewood, Trustee

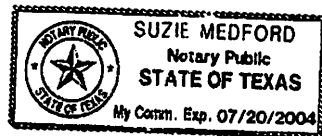
ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF JOHNSON

§
§
§

This instrument was acknowledged before me on this the 24 day of April, 2002, by Thomas Hazlewood, Trustee.



Suzie Medford
Notary Public, State of Texas

PREPARED IN THE LAW OFFICE OF:

EDWARD G. MARKEY
Attorney at Law
1200 Summit Avenue, Suite 700
Fort Worth, Texas 76102-4409

AFTER RECORDING RETURN TO:

Double Diamond, Inc.
10100 N. Central Expressway, Suite 400
Dallas, Texas 75231

TRACT I:

Being all of the T. SPARKS SURVEY, ABSTRACT NO. 820, Johnson County, Texas. Bearings are correlated to the north line of the T. Sparks Survey, Abstract No. 820, Johnson County, Texas. (North 60 degrees 00 minutes 00 seconds East)

Beginning at a 1/2 inch steel pin set for a corner being the northwest corner of the T. Sparks Survey, Abstract No. 820, from which a 30 inch live oak witness tree found, bears North 14 degrees 00 minutes 00 seconds West, 47.20 feet, (17 varas);

Thence North 60 degrees 00 minutes 00 seconds East, along the north line of said T. Sparks Survey and the south line of the S.M. Cotton Survey, Abstract No. 987, 1827.70 feet, (657.97 varas), to a 1/2 inch steel pin found for a corner being the northeast corner of said T. Sparks Survey;

Thence South 29 degrees 15 minutes 21 seconds East, with the east line of said T. Sparks Survey, 3933.94 feet, (1416.22 varas), to a 5/8 inch steel pin found for a corner being the southeast corner of said T. Sparks Survey, in the north line of the T. Toby Survey, Abstract No. 847;

Thence South 60 degrees 00 minutes 00 seconds West, with the south line of said T. Sparks Survey and the north line of the said T. Toby Survey, 1827.70 feet, (657.97 varas), to a 1/2 inch steel pin set for a corner;

Thence North 29 degrees 15 minutes 21 seconds West, with the west line of said T. Sparks Survey, 3933.94 feet, (1416.22 varas), to the Place of Beginning and Containing 165.047 acres of land, more or less.

TRACT II:

Being a tract of land in the S.P.R.R. SURVEY, ABSTRACT NO. 814, Johnson County, Texas. Bearings are correlated to the north line of the T. Sparks Survey, Abstract No. 820, Johnson County, Texas. (North 60 degrees 00 minutes 00 seconds East)

Beginning at a 1/2 inch steel pin found being the northeast corner of the T. Sparks Survey, Abstract No. 820, in the west line of the S.P.R.R. Survey, Abstract No. 814, both, Johnson County, Texas;

Thence North 60 degrees 00 minutes 00 seconds East, 462.48 feet to a 1/2 inch steel pin set for a corner;

Thence South 29 degrees 09 minutes 32 seconds East, generally along a fence, 2068.87 feet to a 5/8 inch steel pin found for a corner;

Thence South 61 degrees 59 minutes 51 seconds West, generally along a fence, 459.05 feet to a 1/2 inch steel pin found for a corner in the east line of said Sparks Survey;

Thence North 29 degrees 15 minutes 21 seconds West, along the east line of said Sparks Survey, 2052.82 feet to the Place of Beginning and Containing 21.795 acres of land, more or less.

Exhibit "A"

WARNING — THIS IS PART OF THE OFFICIAL RECORD
DO NOT DESTROY

Filed For Record 1:00 AM/PM

APR 17 2002

County Clerk Johnson County
By _____ Deputy

ANY PROVISION HEREIN WHICH RESTRICTS
THE SALE, RENTAL OR USE OF THE REAL
DESCRIBED REAL PROPERTY IN ANY MANNER
ON THE BASIS OF RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW



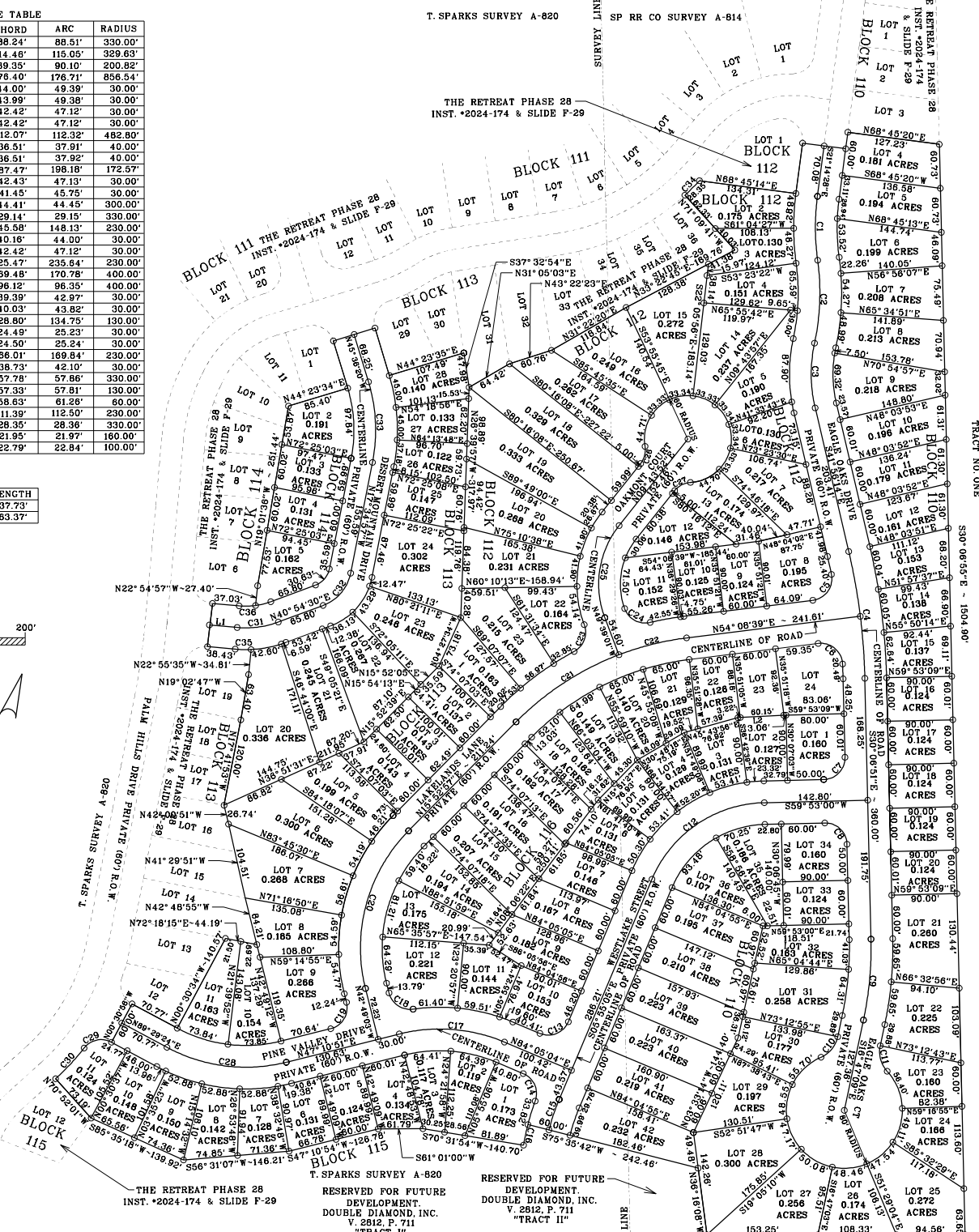
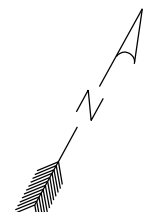
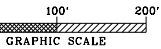
STATE OF TEXAS
COUNTY OF JOHNSON

that I hereby certify this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF JOHNSON COUNTY, TEXAS in the Volume and Page as shown hereon.


CURTIS H. DOUGLAS, COUNTY CLERK
JOHNSON COUNTY, TEXAS

CURVE	CHORD BEARING	CHORD	ARC	RADIUS
C1	S28°55'56"E	88.24'	88.51'	330.00'
C2	S26°36'35"E	114.46'	115.05'	329.63'
C3	S29°16'24"E	89.35'	90.10'	200.82'
C4	N36°01'36"W	176.40'	176.71'	856.54'
C5	N08°59'04"E	44.00'	49.39'	30.00'
C6	S78°42'01"E	43.99'	49.38'	30.00'
C7	S14°53'17"W	42.42'	47.12'	30.00'
C8	N75°06'43"W	42.42'	47.12'	30.00'
C9	S23°27'06"E	112.07'	112.32'	482.80'
C10	N10°22'05"E	36.51'	37.91'	40.00'
C11	S43°56'45"E	36.51'	37.92'	40.00'
C12	S28°59'00"W	187.47'	198.18'	172.57'
C13	S39°04'46"W	42.43'	47.13'	30.00'
C14	N52°13'24"W	41.45'	45.75'	30.00'
C15	S10°09'22"E	44.41'	44.45'	300.00'
C16	S16°55'36"E	29.14'	29.15'	330.00'
C17	N65°37'49"E	145.58'	148.13'	230.00'
C18	N84°50'35"W	40.16'	44.00'	30.00'
C19	N02°11'19"E	42.42'	47.12'	30.00'
C20	N13°28'11"W	225.47'	235.84'	230.00'
C21	N28°06'43"E	169.48'	170.78'	400.00'
C22	N47°14'50"E	96.12'	96.35'	400.00'
C23	N08°10'24"W	39.39'	42.97'	30.00'
C24	N89°41'58"E	40.03'	43.82'	30.00'
C25	N19°57'41"W	128.80'	134.75'	130.00'
C26	N14°20'54"W	24.49'	25.23'	30.00'
C27	S33°49'58"W	24.50'	25.24'	30.00'
C28	N68°20'02"E	166.01'	169.84'	230.00'
C29	N49°17'34"E	38.73'	42.10'	30.00'
C30	N14°06'13"E	57.78'	57.86'	330.00'
C31	N53°39'14"E	57.33'	57.81'	130.00'
C32	N11°40'13"E	58.63'	61.26'	60.00'
C33	N31°35'28"W	111.39'	112.50'	230.00'
C34	N16°23'22"E	28.35'	28.36'	330.00'
C35	N62°27'14"E	21.95'	21.97'	100.00'
C36	S59°50'00"W	22.79'	22.84'	100.00'

LINE	BEARING	LENGTH
L1	N66°23'13"E	37.73'
L2	S58°07'51"W	63.37'



NOW THEREFORE KNOWN TO ALL MEN BY THESE PRESENTS:

THAT DOUBLE DIAMOND, INC., OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN DESCRIBED PROPERTY AS LOTS 1-4, BLOCK 110, LOTS 2-23, BLOCK 112, LOTS 1-11 AND LOTS 20-28, BLOCK 113, LOTS 2-5, BLOCK 114, LOTS 1-11, BLOCK 115, LOTS 1-24, BLOCK 116 OF THE RETREAT PHASE 29 AN ADDITION TO JOHNSON COUNTY, TEXAS AND HEREBY DEDICATE TO THE PUBLIC USE, WITHOUT RESERVATION, THE STREETS, EASEMENTS, RIGHT-OF-WAYS AND ANY OTHER PUBLIC AREA SHOWN HEREON UNLESS OTHERWISE DESIGNATED ON THIS PLAT.

SWORN AND SUBSCRIBED BEFORE ME BY _____ DATE _____

THIS THE _____ DAY OF _____, 2025.

NOTARY PUBLIC STATE OF TEXAS
MY COMMISSION EXPIRES _____

PLAT RECORDED IN
INSTRUMENT # _____ SLIDE _____

DATE _____
COUNTY CLERK, JOHNSON COUNTY, TEXAS
DEPUTY CLERK _____

SURVEYOR'S NOTES:

- ALL BEARINGS AND DISTANCES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, 4202, NAD 83, AS ESTABLISHED USING TRIMBLE V.L.S. NETWORK.
- THE SURVEY PERFORMED ON THE GROUND OF THE SUBJECT PROPERTY AND THE PREPARATION OF A DEPICTION OF THE RESULTS THEREOF ON THIS FINAL PLAT AND PROPERTY DESCRIPTION WERE PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THEREFORE THERE MAY BE EASEMENTS OR OTHER MATTERS THAT COULD EXIST AND ARE NOT SHOWN.
- ALL CORNERS SET ARE MONUMENTED WITH 1/2" IRON RODS WITH CAP STAMPED "INCE R.P.L.S. 5175" UNLESS OTHERWISE NOTED.

APPROVED BY JOHNSON COUNTY COMMISSIONER'S COURT ON THE DAY OF _____, 2025.

COUNTY JUDGE _____



SURVEYOR'S CERTIFICATION
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED BY AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5175

HRS A J HANNA SURVEY A-370
JAMES H. KNAFF
V. 528, P. 146

FINAL PLAT SHOWING
LOTS 4-42, BLOCK 110, LOTS 2-23, BLOCK 112,
LOTS 1-11 AND LOTS 20-28, BLOCK 113, LOTS 2-5,
BLOCK 114, LOTS 1-11, BLOCK 115, LOTS 1-24,
BLOCK 116

**THE RETREAT, PHASE 29
SUBDIVISION IN
JOHNSON COUNTY, TEXAS**

BEING 14.912 ACRES OF LAND OUT OF THE SP RR CO SURVEY A-814 AND 13.566 ACRES OF LAND OUT OF THE T. SPARKS SURVEY A-820 IN JOHNSON COUNTY, TEXAS.

SHEET 2 OF 2

INCE SURVEYING & ENGINEERING

184 THOUSAND OAKS DRIVE WHITNEY, TEXAS 76692

PHONE: 254-694-7708

FAX: 254-694-7230

FIRM #10068000

SCALE 1"=100' JANUARY 13, 2025

SURVEY NO. SN221210.1