

COUNTY OF KARNES, TEXAS



SUBDIVISION AND DEVELOPMENT RULES AND REGULATIONS

APPROVED BY COMMISSIONERS COURT

May 30, 2013

**ORDER ADOPTING RULES OF KARNES COUNTY, TEXAS
FOR SUBDIVISIONS**

**STATE OF TEXAS
COUNTY OF KARNES ***

The Commissioners' Court of Karnes County, Texas, convened in a Regular Session, sitting as the governing body of Karnes County, Texas, at the Karnes County Courthouse, in the City of Karnes City, Texas on the ___ day of _____, 2013 with the following members present, to-wit: Commissioners Shelby Dupnik., Precinct 1; A.T. Pete Jauer, Precinct 2; James Rosales, Precinct 3; Tracey Schendel, Precinct 4; County Judge Barbara Najvar Shaw, with the following business transacted:

Commissioner _____ introduced an order and made a motion that this same be adopted. Commissioner _____ seconded the motion for the adoption of the order, prevailed by the following vote:

BARBARA NAJVAR SHAW
SHELBY DUPNIK
A.T. PETE JAUER

JAMES ROSALES
TRACEY SCHENDEL

The County Judge there upon announced that the order had been duly and lawfully adopted. The Order thus follows

_____ Barbara Najvar Shaw Karnes County Judge

Shelby Dupnik, Precinct #1

A.T. Pete Jauer, Precinct #2

James Rosales, Precinct #3

Tracey Schendel, Precinct #4

RECORD OF CHANGES

CHANGE NUMBER	DATE OF APPROVAL	PAGE NUMBER	ITEM NUMBER	TOPIC
001		33	Article VII.D.1	Road test boring – maximum 500 ft. intervals
002		33	Article VII.D.2	Road construction – base material
003		34	Article VII.D.1a7	Sub-grade density requirements
004		34	Article VII.D.1b1	Two (2) ft. tapered instead of three (3)
005		35	Article VII.D.1b2	Replaced paragraph
006		36	Article VII.F.1b & d	Corrected sign sizes to meet TxMUTCD
007		37	Article VII.I.b	Corrected sign size to meet TxMUTCD
008		41	Article VIII.A.2	Clarified Developer requirements if not providing public water
009		62	Attachment 7	Added notary acknowledgment

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ARTICLE I

RULES AND REGULATIONS

A. AUTHORITY

These rules are adopted by order of the Commissioners' Court acting in its capacity as the governing body of Karnes County, Texas pursuant to appropriate statutes and regulations including, but not limited to:

- 1. Vernon 's Annotated Texas Local Govt. Code** - Chapter 232 (except sections not applicable to Karnes County) and Chapter 242.001
- 2. Vernon 's Annotated Civil St. Art, 6702**
- 3. Property Code** Section 12.002
- 4. Texas Water Code** Section 16.3 15

B. DENIAL OF DRIVEWAY PERMITS TO OWNERS NOT IN COMPLIANCE

1. The County shall issue no driveway permit for any tract created in violation of these regulations, unless the tract owner has received a variance or non-standard plat approval.
2. Any County employee or official who has a question as to whether a particular tract was created in violation of these regulations may delay actions on issuing a driveway permit and refer the question to the Karnes County Development Review Committee.
3. Issuance of a driveway permit by Karnes County does not constitute an acknowledgment by Karnes County that a tract was created in compliance with these regulations. Karnes County maintains the right to contend that any tract was created in violation of these regulations, unless; (1) the tract is an unaltered tract created prior to the adoption of these regulations, (2) the tract is an unaltered tract that was created by a subdivision platted under these regulation, (3) a variance or non-standard plat approval has been obtained from the Karnesy County Development Review Committee and approved by Commissioners Court.

C. PURPOSE AND PRIORITIES

1. The purpose of these Subdivision Rules is to regulate the filing for record of subdivision plats and to establish construction standards and other requirements pertinent thereto for all subdivisions outside the boundaries of any incorporated town or city in Karnes County, for the promotion of health, safety and general welfare of the community.
2. In the event a subdivision within the county falls within the extraterritorial jurisdiction (E.T.J.) of an incorporated municipality, the plat will be approved according to the interlocal agreement between that municipality and the County.
3. If any conflict exists between these rules and the Texas State Statutes and applicable regulations or Federal Statutes and their applicable regulations, the Texas State Statutes, Federal statutes and regulations shall take precedence.
4. Now withstanding any Article of these Subdivision Rules, any layout(s) of a development that will cause unsatisfactory drainage conditions, or that will complicate the maintenance of roads will not approved.

D. CODIFICATION & REVISION OF PRIOR RULES/ORDERS:

1. These rules constitute a re-codification and revision of existing Karnes County Subdivision And Development Rules and Regulations, and shall supersede and replace any prior subdivision regulation wherein there exists any conflict.
2. The subdivision rules in place at the time these rules are adopted, are continued in effect for any development required by state law to be regulated by the previous rules.

E. ADMINISTRATION

1. The Commissioners Court of Karnes County shall administer these rules and delegates the initial review process to the Karnes County Development Review Committee. The Commissioners Court of Karnes County appoints a seven (7) member committee to serve as an initial review committee for the purpose of reviewing each plat to ensure that all proposed subdivisions are in compliance with these regulations prior to recommendation to Commissioners Court.
2. The Karnes County Development Review Committee shall be composed of two Commissioners, the County Attorney, the Emergency Management Coordinator, the Karnes County Administration, the County Engineer on staff and one (1) public member at large. A quorum shall consist of 4 members, unless two or more seats are vacant, in which case a quorum shall be three members.
3. The Karnes County Development Review Committee is scheduled to meet monthly on an as needed basis. Agendas will be publicly posted with the County Clerk Office in accordance with the Open Meetings Act. Copies of the agenda will be issued to the County Judge, each committee member, and to each potential developer scheduled for the review process.
4. The public member at large shall be appointed to a 2 year term by Commissioner's Court. Said member shall be an adult citizen of Karnes County and a property owner who has no interest in any development that may come before the Karnes County Development Review Committee.
5. The public member at large may be removed by Commissioner's Court for misconduct or neglect of duties.
6. When there is no County Engineer on the county payroll, as a salaried employee, the Commissioners Court shall appoint an additional public member. The public member appointed in lieu of the County Engineer shall be treated exactly the same as the public member at large, except that if a County Engineer is hired, as a salaried employee, the public member appointed in lieu of the County Engineer is immediately removed as a member of the Karnes County Development Review Committee

F. FEES

The applicant shall pay a non-refundable fee in the amount set forth in Attachment 1. These fees may be amended from time to time by the Commissioners' Court without amending or affecting the remainder of these regulations.

G. TECHNICAL REVISIONS, CORRECTIONS AND UPDATES

The Commissioners Court may make technical revisions, corrections, and updates, to the rules at any time.

H. PARTIAL INVALIDITY

It is hereby declared that if any clause, phrase, provision or section of these rules should be invalid or unconstitutional, that the Commissioners Court would have nevertheless passed the remaining portions of rules without including the phrase, clause, provision or section so declared invalid or unconstitutional.

ARTICLE II
GENERAL SUBDIVISION REQUIREMENTS

A. GENERAL REQUIREMENTS

Any owner who subdivides a tract of land shall:

1. Comply in all respects with these regulations; and
2. Prepare and submit to the Karnes County Development Review Committee an application for approval of the proposed Subdivision in accordance with the terms and procedures set forth in these regulations.

B. VIOLATION OF RULES

1. No tract of land to which these rules apply, may be subdivided in violation of these rules.
2. Each tract created in violation of these rules is a separate offense
3. Each day that a deed, or other instrument of conveyance, is on file with the Karnes County Clerk, creating one or more tracts, in violation of these rules, is a separate offense.
4. Each violation of these rules, by a developer or land owner, is a Class C Misdemeanor punishable by a fine of \$500.00.
5. At the direction of the Commissioners Court, the County Attorney may seek an injunction prohibiting the violation of these rules, and/or the use or occupation of a tract created in violation of these rules.

C. SUBDIVISION APPROVAL PROCESS

No Subdivision shall be permitted until the Owner has satisfied each of the following steps in the order indicated:

- 1. Completed Application.** An application is completed when all fees have been paid, all data required by these rules have been submitted in writing, and all required attachments, with required data, and approvals from third parties, have been filed, and any deficiencies have been met.
- 2. Extension of Time.** If a developer needs additional time, after filing the application, to complete the application, the developer may request an extension of these dates, by submitting Attachment 21.
- 3. Approval of Final Plat** by the Commissioners' Court with appropriate bonds shall be completed within 60 days after the date a completed plat application is received.
- 4. Filing of Record Plat** must be recorded within fifteen (15) working days of Commissioners Court approval or the approval is voided.

D. TRANSMITTAL MATERIALS

All submissions to the Karnes County Development Review Committee pursuant to these Regulations, including amendments or supplemental materials, shall be delivered to the Karnes County 911 Special Projects Office and shall be accompanied by a letter of transmittal indicating:

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1. The name, address and phone number of the Owner and, if different, the Developer or Applicant.

2. The name, address and phone number of any person submitting the materials on behalf of the Owner.
3. The name of the proposed Subdivision.
4. The size and location of the original tract.
5. A detailed description of the requested actions.

E. COMMUNICATION WITH PRECINCT COMMISSIONER

The Owner or agent is recommended to contact the commissioner in whose precinct the proposed Subdivision is located prior to the submission of the initial application.

F. PRELIMINARY MEETING WITH ENGINEER

A developer may request, in writing, a preliminary meeting with the County Engineer, to discuss the proposed development. When there is no County Engineer on the county payroll, as a salaried employee, all professional fees charged by the County Engineer for the requested meeting shall be borne by the developer. Developer will be invoiced directly by contracted County Engineer. A meeting shall be conducted within 15 working days of a request.

G. APPLICATION MATERIALS

Each application for Proposed Plat shall include the following:

1. Completed checklists in the current form promulgated by these Subdivision Regulations. (Attachments 2, 3, 4 and 5)
2. All other documents or reports required pursuant to these Regulations and any associated bonds or letters of credit.
3. Appropriate application fees.
4. ***ALL application materials must be submitted to the Karnes County 911 Special Projects by the close of business on the first business day of the month for the initial review process and consideration for placement on the following month's scheduled Karnes County Development Review Committee meeting agenda.***

H. REVIEW PROCEDURE

1. The preliminary review period for an application for a Proposed Plat shall begin on the first business day after a completed application is submitted and shall end following the expiration of ten (10) working days thereafter.
2. An application for a Plat shall be deemed to be complete for this Section when all of the materials required under Article II D and G are timely delivered to the Karnes County 911 Special Projects Office together with those items required in Article V.
3. In the event the Karnes County 911 Special Projects Office determines that the Application is not complete, it shall provide the Applicant with written comments detailing the outstanding or deficient items, not later than ten (10) business days after receipt of the application.

4. Upon receipt of the County's written comments, the Applicant shall submit within sixty (60) days to the Karnes County 911 Special Projects Office additional information or a revision to the application, together with a written response to each comment by the Karnes County 911 Special Projects Office. Upon written request (Attachment 21) of the Applicant, the Karnes County Development Review Committee Chairperson may extend the Applicant's sixty day response time to provide supplemental information, but in no event for longer than thirty days. The request is to be submitted to the Karnes County 911 Special Projects Office.
5. The Karnes County 911 Special Projects may review any supplemental materials submitted by an Applicant for fifteen (15) business days after such supplemental materials were submitted to the Karnes County 911 Special Projects Office.
6. In the event the Applicant fails to respond to the Karnes County 911 Special Projects Office within the sixty day response period (or the period as extended by the Karnes County 911 Special Projects Office), the Karnes County 911 Special Projects Office shall return the application to the Applicant. The Applicant will be required to file a new application.
7. The Karnes County 911 Special Projects Office shall forward the results of its review to the Karnes County Development Review Committee for review and recommendations.
8. A representative of the proposed subdivision shall be present at the review meeting to answer any questions that may arise. During this meeting the committee will inform the developer or the representative of the subdivision of its findings. Should the committee require that the plat be amended in order to comply with these subdivision regulations, the developer shall submit a revised proposed plat to be reviewed by the committee for compliance with the regulations. The revised proposed plat must be submitted to the Karnes County 911 Special Projects Office no later than the close of business on the 15th of the month for placement on the following month's scheduled Karnes County Development Review Committee meeting agenda.
9. Once the committee has approved the proposed plat and all requirements are met, the Karnes County Development Review Committee will refer the Final Plat to Commissioner's Court for final approval.

I. RECORD PLAT

1. Two (2) Duplicate 18"x 24" mylars of the Final Plat must be provided to the Karnes ~~County 911 Special Projects Office~~ by 5:00 p.m. on the Tuesday prior to the Monday of a regularly scheduled Commissioner's Court meeting for placement on the agenda. The Final Plat must have all signatures executed except for those of the Karnes County Development Committee Chairman and Commissioner's Court. The Final Plat shall be approved, or disapproved, by Commissioner's Court within 60 days of approval of the proposed plat by the Karnes County Development Review Committee.
2. The two (2) Duplicate 18"x 24" mylars of the Final Plat shall then be presented to the County Clerk for recording as the Record Plat upon final approval by Commissioner's Court. All writing and drawings on the Final Plat must be large enough to be easily legible following recording, and legible at 50% photocopy reduction.

3. The Final Plat must be recorded within fifteen (15) working days of the Commissioner's Court approval or the approval is voided.

4. Within ten (10) business days of the filing of the Final Plat, the developer shall provide fifteen (15) blue line copies of the final recorded plat and 2 digital copies to Karnes County 911 Special Projects Office. The digital copies shall be provided in a format which can be directly imported into Arc View.

J. PROPOSED SUBDIVISION ACCESS

1. If a development fronts a State Highway, the developer will comply with TXDOT rules and regulations for access. As part of the application for subdivision development, developer shall provide a letter of preliminary approval for subdivision access point from TXDOT. Acknowledgment by a duly authorized agent of TXDOT is required to appear on said plat.

2. When a proposed subdivision adjoins a platted development with street stub outs, the subdivision shall connect to those stubs.

K. LOT RESTRICTIONS

1. No homes are to be built or brought onto the property until floodplain and driveway permits are obtained and septic application is submitted.

2. All lots shall have a twenty-five (25) foot building set-back from County ROW; a fifteen (15) foot side set-back; and a fifteen (15) foot rear set-back as required in Article IX.B

3. All lots shall have a minimum twenty (20) foot embankment/back slope easement as required in Article IX.B.

4. Lots shall have a minimum of 40 feet of frontage on an existing State or County road, and may not be narrower than 40 feet at any point between the 40 feet (or more) of road frontage, and the bulk of the lot.

5. No structure may be occupied until a septic permit is obtained.

L. LOT SIZE

1. Standard Lot Spacing

a. Lots served with public water and public sewer – no minimum lot size.

b. Lots served with public water and conventional septic – 1.0 acre minimum lot size.

c. Lots served by an individual private well and public sewer – 1.0 acre minimum lot size.

d. Lots served by an individual private well and conventional septic – 2.0 acre minimum lot size.

2. Dense Lot Spacing

a. Lots served with public water and conventional septic – 1/2 acre minimum lot size.

b. Lots served by an individual private well and public sewer – 1/2 acre minimum lot size.

c. Lots served by an individual private well and conventional septic – 1.0 acre minimum.

M. DISCLOSURE OF WHO, IF ANY, ENFORCES RESTRICTIVE COVENANTS

Each plat will bear in at least twelve (12) point type, one of the following disclaimers as appropriate:

The lots in this Subdivision are subject to an assessment (fee payable by the lot owner) by a property owners association. The property owners association may use the assessments collected to enforce the restrictive covenants filed of record for this subdivision.

OR

The lots in this subdivision are not subject to an assessment (fee payable by the lot owner) by a property owners association. There is no property owners association which may use assessments to enforce the restrictive covenants covering this subdivision. No state or local government enforces the restrictive covenants covering this subdivision. The duty to enforce the restrictive covenants is the responsibility of each lot owner.

N. NO OCCUPANCY WITHOUT SEPTIC PERMIT

Each plat will bear in at least twelve (12) point type the following statement “No structure may be occupied, unless connected to a public sewage system, until a septic permit, for the on site sewage facility, is obtained from the Karnes County Public Health Officer.

O. NO COMMONLY USED LANDS WITHOUT PROPERTY OWNERS ASSOCIATION WITH MANDATORY ASSESSMENTS

No land in a subdivision, except lands for cluster mail boxes, and lands dedicated to, and accepted by, Karnes County, may be designed for public use, or use in common by the property owners, or a portion of the property owners, unless the covenants of the subdivision establish a property owners association with mandatory assessments, with a duty to maintain the commonly used lands, and title to the commonly used lands is transferred to the property owners association.

ARTICLE III EXEMPTIONS

Text of Local Government Code Section 232.001(a)(3)

Sec. 232.001. PLAT REQUIRED. (a) The owner of a tract of land located outside the limits of a municipality must have a plat of the subdivision prepared if the owner divides the tract into two or more parts to lay out:

- (1) a subdivision of the tract, including an addition;*
- (2) lots; or*
- (3) streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts.*

A. WHAT IS EXEMPT

The subdivision of a tract of land outside the limits of a municipality shall be exempt from the platting requirements of Article II if;

1. The owner does not lay out a part of the tract described by Local Government Code Section 232.001(a) (3) Texas Local Government Code and the land is to be used primarily for agricultural use, as defined by Section 1-d, Article VIII, Texas Constitution, or for farm, ranch, wildlife management, or timber production use within the meaning of Section 1 -d- 1, Article VIII, Texas Constitution; or
2. The owner of the tract divides the tract into four or fewer parts and does not lay out a part of the tract described by Local Government Code Section 232.001 (a)(3) Texas Local Government Code and each of the lots is to be sold, given, or otherwise transferred to an individual who is related to the owner within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code; or
3. The owner of the tract divides the tract into two or more parts and all of the lots of the subdivision are more than 10 acres in area and the owner does not lay out a part of the tract described by Local Government Code Section 232.001 (a)(3) Texas Local Government Code; or
4. The owner of the tract of land who divides the tract into two or more parts and does not layout part of the tract as described by Section 232.001(a)(3) Texas Local Government Code if all of the lots are sold to veterans through the Veterans' Land Board program; or
5. The owner of the tract of land is a political subdivision of the state; the land is situated in the floodplain; and the lots are sold to adjoining landowners and the owner does not lay out a part of the tract described by Local Government Code Section 232.001 (a)(3) Texas Local Government Code; or
6. The owner of the tract of land who divides the tract into two parts and does not lay out part of the tract described by Section 232.001 (a)(3) Texas Local Government Code; and one new part is to be retained by the owner; and the other new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements of Article II; or
7. The owner of the tract of land who divides the tract into two or more parts and does not lay out part of the tract described by Section 232.001(a)(3) Texas Local Government Code and

all parts are transferred to persons who owned an undivided interest in the original tract and a plat is filed before any further development of any part of the tract; or

8. A subdivision of any tract of land belonging to the state or any state agency, board, or commission or owned by the permanent school fund or any other dedicated funds of the state unless the subdivision lays out a part of the tract described by Section 232.001(a)(3) Texas Local Government Code.

9. The owner of a tract of land who divides the tract into no more than two parts in order to obtain a loan and comply with requirements of the lender and

a. each part consists of at least two acres; and

b. each part has a minimum deeded access of 40 feet of road frontage on a county or state road; and

c. no part is conveyed to a third party; and

d. does not lay out part of the tract described by Section 232.001(a)(3), Texas Local Government Code; or

10. The owner of a tract of land who divides the tract into no more than two parts in order to sell to an adjoining landowner and

a. the remainder of the acreage is no less than 2 acres; and

b. each tract has a minimum deeded access of 40 ft. road frontage on a county or state road; and

c. does not lay out part of the tract described by Section 232.001(a)(3), Texas Local Government Code.

B. PROCEDURE FOR CLAIMING FAMILY EXEMPTION FROM PLATTING REQUIREMENT

A land owner claiming an exemption from platting requirements under ART III(A)(2), the “family” exemption, shall complete, and file with the Karnes County Clerk, in the Official Public Records, contemporaneously with the Deed, or other instrument conveying title, Attachment 18, demonstrating that they do fall within the exemption. A filed copy of Attachment 18 shall be provided to the Karnes County 911 Special Projects Office.

ARTICLE IV
NON-STANDARD PLATS AND
VARIANCES **A. NON-STANDARD PLATS**

A “non-standard plat” is a plat that does not conform to the Karnes County Subdivision and Development Rules and Regulations, and may be approved when a property owner wishes to do some act which would require platting under these rules, when the Commissioners Court finds that the imposition of the full platting requirements of these rules would unfairly burden the property owner, without promoting the public welfare.

B. VARIANCES

A “variance” is a departure from the Karnes County Subdivision and Development Rules and Regulations that is requested as a part of the standard platting process. A developer may, prior to submitting a standard plat, request in writing that Karnes County grant a variance as to any rule, except for fees, and financial guarantees. The variance request must be resolved prior to submission of the plat application

C. PROCEDURES

1. An owner of property affected by the Karnes County Subdivision and Development Rules and Regulations may make written application for a Non-Standard Plat/Variance. Any such application for a Non-Standard Plat/Variance shall be deemed to be complete for this Section when Attachment 7 and all of the materials required on Attachment 6 along with the required fees are delivered to the Karnes County 911 Special Projects Office by the fifteenth (15th) day of the month for the initial review process and consideration for placement on the next month’s scheduled Karnes County Development Review Committee meeting.
2. At a scheduled meeting of the Karnes County Development Review Committee, members will conduct a preliminary review of the Non-Standard Plat/Variance application. The applicant, or their designated representative, shall be present.
3. Variances will be considered as a part of the usual plat review process.
4. The committee will forward the Non-Standard Plat/Variance request to Commissioner’s Court for recommendation of approval or non-approval. The Commissioners’ Court shall endeavor to respond, in final writing to each Non-Standard Plat/Variance requested. It is incumbent upon the land owner to obtain a written response from the Commissioners’ Court to any non-standard plat requested.
5. The Non-Standard Plat/Variance Application Checklist, with attachments, reflecting the final action by the Commissioner’s Court shall be recorded in the Official Public Records.

ARTICLE V
REQUIREMENTS FOR APPROVAL OF PROPOSED
PLAT A. GENERAL INFORMATION

1. Name of the proposed Subdivision, or any of the physical features (such as streets, roads, and alleys, etc.) shall not be so similar in spelling or pronunciation to the name of any similar features in Karnes County or in any incorporated town or city, unless the subdivision, or any of the physical features, is an extension of a pre-existing, contiguous subdivision. Roads which are a continuation of an existing road shall take the name of the existing road. All streets and roads within a subdivision, either county or private, must have a name. Developer must obtain approval of road names from the Karnes County 911 Addressing Office and provide proof of road name approval as part of the application. (Attachment 8)
2. Reference must be made to:
 - a. an original corner of the original patented survey(s);
 - b. the number of acres in each survey with the abstract number of same; and
 - c. the volume and page of the current deed, as filed in the Official Public Records of Karnes County, of the tract being subdivided.
3. Boundary lines and total acreage of the Original Tract and the Subdivision.
4. A listing of lots and respective acreage within the proposed subdivision.
5. Total acreage of subdivision, and acreage and dimensions of each lot.
6. Location and acreage of any proposed parks, squares, greenbelts, schools, or other public use facilities and acreage of roads, private or public.
7. Names of adjoining subdivisions or owners of property contiguous to the proposed Subdivision.
8. Name, address and signature of the Surveyor and/or Engineer. (All names must be typed or printed directly under the executed signature.)
9. Name, address and signature of the Owner, and Developer or Applicant if not the Owner. (All names must be typed or printed directly under the executed signature.)
10. Area map showing general location of Subdivision in relation to major roads, towns, cities or topographic features.
11. North arrow, scale and date. The scale shall not exceed 1" = 200'.
12. GPS coordinates of at least 2 corners of the subdivision.
13. Boundary lines of any incorporated city and the limit of the extraterritorial jurisdiction of any city.
14. Indicate the school district in which the Subdivision is located. In the event any lot lies within more than one school district, then the plat shall clearly state the number of acres within the lot that lies within each school district.
15. Indicate location of any existing structures (wells, cemeteries, etc.) in the subdivision, on the plat.

16. Bearings and dimensions of the boundary of the Subdivision and all lots, parks, green belts, easements, or reserves. Dimensions shall be shown to the nearest one-hundredth of a foot (0.01') and bearings shall be shown to the nearest one second of angle (01"). The length of the radius and arc of all curves, with bearings and distances of all chords, shall be clearly indicated.

17. A description of monument used to mark all boundary, lot and block corners, and all points of curvature and the tangent on street rights-of-way.

18. Location of original survey line. The subdivision shall be located with respect to an original corner of the original survey of which it is a part.

19. Lot numbers are to be arranged in a systematic consecutive order, per each platted unit, and shown on the plat in distinct and legible figures. The area of each lot must be shown in acres to two (2) decimal places.

20. The location of the water storage tank, if required under Art. VIII.B, must be shown on the plat.

21. If a water storage tank is required under Art. VIII.B., the statement: "Karnes County has no obligation to maintain, repair, replace or fill any fire suppression water storage tank in this subdivision."

22. The following statement must appear on the plat in not less than 12 point type: "Karnes County is a beneficiary of each drainage easement, and has the right, but not the duty, to enforce drainage easements."

B. FLOODPLAIN AND DRAINAGE INFORMATION

1. Elevation contours of no greater than ten (10) foot intervals shall be shown on the plat. Flood prone areas, or areas as required by engineer, shall be shown at two (2) foot intervals.

2. All Special Flood Hazard Areas (SFHA) identified by the most current Flood Insurance Rate Maps published by the Federal Emergency Management Agency (FEMA) shall be shown on the plat. The distances from the block corners to the floodplain line shall be shown on the plat.

3. For subdivisions with existing 100-year floodplain, or 100-year floodplain resulting from the drainage analysis, required finished floor elevations of each lot affected by the 100-year floodplain shall be shown on the plat. Benchmark elevations shall be established and certified by developer's engineer/surveyor near the flood zone, for each unit developed.

4. Each lot in the 100-year floodplain shall contain on the plat sufficient additional contours to identify and delineate the 100-year floodplain and regulatory floodway, if any. If base flood elevations have not been established, they shall be established by performing a detailed study as required in the Karnes County Flood Damage Prevention Order. It is the responsibility of the developer to submit the results of the detailed study to FEMA for approval. Each lot affected by the 100-year floodplain shall be identified in the notes section of the plat.

5. A drainage plan depicting the anticipated flow of all drainage onto and from the subdivision and showing all major topographic features on or adjacent to the property including all water courses, 100-year floodplain boundaries, ravines, bridges and culverts

shall be submitted. The proposed development shall consider the impact of the development on surrounding properties.

6. The location and size of all proposed drainage structures, except culverts, shall be shown on the plat. A drainage easement shall be shown on each affected lot on the plat.

7. Depiction of all streams, rivers, ponds, lakes, other surface water features or any Sensitive Features (as defined by the Texas Commission On Environmental Quality in CFR 30 Texas Administrative Code 213.3) and a statement certified by the developer's surveyor or engineer under his or her professional seal that, to the best of his or her knowledge, the plat accurately reflects the general location (or absence) of all such features in accordance with the terms of these Regulations.

8. All drainage facilities including ditches, drainage pipes, street curbs, gutter inlets, driveways, road culverts, and storm sewers shall be designed to intercept and transport runoff from 10-year frequency.

9. A drainage analysis which includes design calculations for all facilities within the subdivision including drainage culvert location and sizing, and an analysis of the upstream and downstream impact on adjacent properties showing that the development has no impact on the water discharged from the property, based on the 100 year flood, shall be submitted as follows:

Engineering Design of Storm Water Drainage and Management

Plan a. 100-year Storm Event Inundation Analysis

1. Provide an engineering analysis showing those areas within the platted area that are subject to storm water inundation during the 100-year storm event. This analysis should be in the form of engineering calculations and an overall plan view of the subdivision showing the areas of 100-year inundation with the areas shaded or crosshatched. The analysis shall be based on the anticipated fully developed condition of the platted area, including any proposed building, paving, clearing, drainage, roadway, excavation, fill or other significant environmental modifications affecting peak flow rates of storm water runoff. The analysis shall only consider watersheds greater than 10 acres.

2. The analysis shall take into consideration all contributing watersheds to the extent that they affect or cause inundated areas within the platted area. A contributing watershed is a drainage area that drains storm water runoff to the platted area. Existing unplatted areas within contributing watersheds shall be analyzed considering their existing state of development. Existing platted areas within contributing watersheds shall be analyzed considering their fully built intended use and accounting for the effects of any existing drainage improvements. The analysis shall utilize all existing studies and information available.

3. The 100-year Storm Event Inundation Analysis shall be prepared, sealed, and signed by a professional engineer, currently registered in the State of Texas, and shall be reviewed and accepted by the County Engineer.

4. If the 100-year Storm Event Inundation Analysis results in any area inundated other than is reflected in the most current Flood Insurance Rate Maps published by FEMA for Karnes County, it is the responsibility of the developer to submit the results of the 100-

year Storm Event Inundation Analysis to FEMA for approval.

5. The subdivision plat shall have drainage easements containing all areas identified as being inundated by the 100-year storm event. A note shall be placed on the plat stating the following:

A drainage study has been completed for this plat and is available for review at the Karnes County 911 Special Projects Office. Areas identified by the study as being inundated during certain storm events have been placed within drainage easements.

b. Downstream Impact Analysis

1. Provide an engineering analysis stating that the effect of modifying the platted area to the anticipated fully developed condition, including any proposed building, paving, clearing, drainage, roadway, excavation, fill or other significant environmental modifications, will not increase the peak 100-year storm water discharge rate from the platted area to any contiguous property.

2. The analysis shall consider all contributing watersheds outside of the platted area to the extent that they affect the impact analysis. A contributing watershed is a drainage area that drains storm water runoff into the platted area. Existing unplatted areas within contributing watersheds shall be analyzed considering their existing state of development. Existing platted areas within contributing watersheds shall be analyzed considering their fully built intended use and accounting for the effects of any existing drainage improvements.

3. The Downstream Impact Analysis shall be prepared, sealed, and signed by a professional engineer, currently registered in the State of Texas, and shall be reviewed and accepted by the County Engineer.

c. Plans and Specifications for Storm Water Drainage Improvements

1. Provide plans and specifications for all storm water drainage improvements proposed within the platted area. Storm Water Drainage Improvements are manmade facilities such as detentions ponds, channels, storm sewer piping systems, culverts, catch basins, inlets, roadways, ditches, or other related facilities, which are constructed to control or modify natural storm water drainage.

2. Plans and Specifications for Storm Water Drainage Improvements shall be prepared, sealed, and signed by a professional engineer, currently registered in the State of Texas, and shall be reviewed and accepted by the County Engineer.

d. Drainage Easements and Rights-of-Way

Storm Water Drainage Improvements shall be placed within private drainage easements or public rights-of-way adequately configured to properly accommodate facility operation, maintenance, and access. Storm Water Drainage Improvements, other than ditches, will not be maintained by the County and must be contained within private drainage easements. All required drainage easements shall be presented to scale on the final plat.

10. Storm Water Drainage Improvements within the Road Right-of-Way

a. Provide an engineering analysis determining the 10-year storm water flow rate at all locations, except as noted below in paragraph b., where storm water drainage is planned to

cross a proposed roadway. Prepare plans and specifications for proposed drainage improvements showing that the proposed improvements will pass the 10-year storm water flow rate through the drainage improvements without over-topping the roadway surface. The engineering analysis, design, plans, and specifications shall be prepared, sealed, and signed by a professional engineer, currently registered in the State of Texas, and shall be reviewed and accepted by the County Engineer.

b. Provide an engineering analysis determining the 25-year storm water flow rate at all locations where storm water drainage is within a FEMA Special Flood Hazard Area, or in an area determined as being inundated in the 100-year Storm Event Inundation Analysis, and is planned to cross a proposed roadway. Prepare plans and specifications for proposed drainage improvements showing that the proposed improvements will pass the 25-year storm water flow rate through the drainage improvements without over-topping the roadway surface. In addition, provide an engineering analysis determining the 100-year storm water flow rate and show that the effect of the proposed drainage and roadway improvements will not inundate areas outside of the FEMA Special Flood Hazard Area, or area determined as being inundated in the 100-year Storm Event Inundation Analysis. The engineering analysis, design, plans, and specifications shall be prepared, sealed, and signed by a professional engineer, currently registered in the State of Texas, and shall be reviewed and accepted by the County Engineer.

c. A proposed subdivision in which a road(s) being constructed crosses a FEMA Special Flood Hazard Area, or an area determined as being inundated in the 100-year Storm Event Inundation Analysis, shall abide by the following:

1. Where there is only one entrance/exit, the developer shall design the roadway such that unimpeded ingress/egress shall be possible during the 100-year storm event.
2. Where there is more than one entrance/exit, the developer shall design at least one road in the subdivision that shall provide unimpeded ingress/egress from each lot during the 100-year storm event.

Documentation regarding the determination of the elevation and calculations demonstrating that the roadway(s) is of sufficient elevation to be passable under the 100-year storm event shall be submitted along with the plat.

11. Where drainage easements are centered along, or cross, lot and/or property lines, a statement shall be added to the plat that no fencing or structures that will interfere with adequate drainage flow will be allowed on or across such lines. Fencing may be allowed across drainage easements only in accordance with the following restrictions:

- a. Bottom of fence shall be a minimum of the flow depth, plus freeboard above design flow line of channel or drain as shown in the table below.

Drainage Freeboard for Channels

Design Depth of Flow	Required Freeboard
0 to feet 5 feet	0.5 foot
5 to 10 feet	1.0 foot
10 feet and over	10% of design depth

- b. A hinged gate, sufficient to pass debris from storm water, shall be placed across the entire width (if drainage easement is crossing property lines) or length (if drainage easement is centered along property lines) of the drainage easement.
- c. Fence posts located within the easement must be structurally designed to resist damage from the storm water flows and impact from debris.
- d. A floodplain development permit will be required to construct a fence within an easement within the 100-year floodplain.

C. STREET AND RIGHT OF WAY INFORMATION

- 1. Total length of all streets, to the nearest one-hundredth of a foot (0.01')
- 2. Total acreage of all streets public or private.
- 3. Total area of all common areas to be dedicated to the public/POA/HOA.
- 4. Location, length, and right-of-way widths of all proposed streets and depiction of how all proposed streets shall connect with previously dedicated, platted, or planned streets within the vicinity of the subdivision.
- 5. Location, size, and proposed uses of all proposed access easements, or shared access driveways, if any.
- 6. A proposed Plat shall contain a written certification from a Registered Professional Engineer that the location and dimensions of streets as set forth and laid out on the Proposed Plat or Survey are in accordance with these Regulations.
- 7. The following statement shall appear prominently on the Final Plat: "in order to promote safe use of roadways and preserve the conditions of public roadways, no driveway constructed on any lot within this subdivision shall be permitted access onto a publicly dedicated roadway unless a **Driveway Permit** has been issued by the Karnes County Health and Public Safety Office. The driveway shall be constructed according to specifications stated within the permit.
- 8. In some cases the Developer may be required to design and construct driveways to conform to county standards.
- 9. The following statement shall appear prominently on the Final Plat: "No homes are to be built or brought onto the lot until driveway and floodplain permits have been obtained."
- 10. A separate set of construction plans showing street plans, profiles, cross sections and drainage structures, including culverts; at no greater than 100 foot intervals shall be submitted.

D. CONSTRUCTION BOND

Commissioners Court requires that the owner of the tract to be subdivided execute a good and sufficient bond (Texas Local Government Code Section 232.004). All developers, prior to the acceptance of any plats, must file a Construction Bond, Letter of Credit, or an Escrow Account with the County Judge in the following form and amount:

- 1. Bond or alternative financial guarantee, must be payable to the county judge of the county in which the subdivision will be located or to the judge's successors in office. The bond

must be in an amount determined by the Commissioners Court to be adequate to ensure proper construction of the roads and streets in and drainage requirements for the subdivision, but not to exceed the estimated cost of construction of the roads, streets, and drainage requirements.

2. The bond or alternative financial guarantee, must be executed with sureties as may be approved by the court; or be executed by a company authorized to do business as a surety in this state if the court requires a surety bond executed by a corporate surety and be conditioned that the roads, streets, easements and drainage structures for the subdivision will be constructed: (1) in accordance with the specifications adopted by the court; and (2) within a reasonable time set by the court, and (3) shall be a guaranty against latent defects in the roads, streets, easements and drainage structures.

3. A Surety Bond issued by a licensed Surety Company in the State of Texas, to the County Judge or his successor for the purpose of providing bond for the construction of the roads in said subdivision. Said Bond to run for a period of two years from the final approval of the subdivision plat by the Court, and said bond to be in a form acceptable to Commissioners Court.

4. The Commissioners Court may waive bond and accept substitute collateral §232.0045 Texas Local Government Code.

5. The developer shall provide an estimate for the construction of any roads, streets, easements and drainage structures. The estimate is to include material and labor and is subject to approval by the County Engineer and/or County Commissioner.

6. The condition of said Construction bond shall be that the owner of said approved and accepted subdivision shall begin construction of such roads as are shown on the subdivision plat within ninety (90) days from the date of approval of the plat by Commissioners Court. **Construction of said roads shall be completed and said roads shall be accepted by Commissioners Court not more than one year from the date of the approval of the plat.**

7. The Construction Bond shall remain in full force and effect until it expires, to insure the County against defects in design, materials and construction, in the roads.

8. The Developer and County may, upon written request by the Developer, extend these deadlines, but any such extension must include an extension of the construction bond, or other financial guarantee.

E. SEWAGE

The Commissioners Court of Karnes County has heretofore adopted certain rules for the construction of private sewage facilities. These subdivision rules must be read in conjunction with the requirements of The Rules for Karnes County for Sewage Facilities. Specifically, the requirements of such rules shall be in addition to the requirements herein, and when in conflict, the requirements of such rules for private sewage facilities, if there is a reasonable construction which shall avoid in conflict, such construction shall be adopted.

1. On-site sewage facilities on lots two (2) acres or less are required to be engineered by a registered professional engineer or registered sanitarian. In the event the study is not acceptable, corrective measures, as specified by the Karnes County Health and Public Safety Officer are required.

2. If a state approved public sewage system is not provided, the owner of the proposed subdivision shall make site evaluations (location of the site evaluations shall be shown on the plat) in accordance with the Karnes County and Texas Commission on Environmental Quality (TCEQ) regulations in effect for installation of on site sewage facilities. Representative soil sample of a minimum of ten (10) percent of the proposed tracts or lots must be tested and results approved by the Karnes County Health and Public Safety Officer. In the event the tests are not acceptable, corrective measures, as specified by the Karnes County Health and Public Safety Officer are required.

3. Developers who plan to install a public sewer system that falls outside of the authority of the Karnes County Health and Public Safety Office must present proof of:

- a. Design;
- b. Approval of that design by TCEQ or other State body charged with regulating public sewer systems;
- c. The cost of construction of an approved system;
- d. The cost of maintenance and operation of an approved system; and
- e. The existence of a financially secure organization to own and maintain the public sewer.

4. The developer must post a construction bond to secure the construction of the public sewer system as designed and engineered. A performance bond must be posted to insure that the public sewer system operates within compliance of TCEQ Rules and Regulations for one year from the date that it goes into normal operation. Finally, the developer must pay for any professional fees incurred by the County in relation to the proposed public sewer system.

5. An appropriate statement will be placed on the plat indicating the types of sewage disposal systems required for the subdivision.

6. Each plat will bear in at least twelve (12) point type the following statement “No structure may be occupied, unless connected to a public sewage system, until a septic permit, for the on site sewage facility, is obtained from the Karnes County Health and Public Safety Officer.”

7. Special Rules for Dense Lot Spacing Under Art II.L.2.

- a. Lots with an on-site sewage facility and water from a private well.
 - i. The Developer must have a registered sanitarian design an on site sewage facility for each lot.
 - ii. The design must include either an aerobic (above ground drainage) system, or an anaerobic (below ground drainage system) system, with a designated alternative anaerobic drain field.
 - iii. The Developer must show, on the plat, the designated drain field areas for the on site sewage facility for each lot.
 - iv. The Developer must show, on the plat, a designated private water well location, or area, for each lot.
 - v. If necessary, to comply with all State and Regional rules governing sewage facilities, and private water wells, the developer will designate, on each lot, areas where structures may be, or may not be constructed.

- vi. That is, if required setback lines from existing, or designated, on site sewage facilities, private water wells, and structures, extend beyond the lines of a lot, the Developer will, if necessary, restrict development on the adjoining lot the setback line extends across, so that development on the adjoining lot does not interfere with the existing, or designated, on site sewage facilities, private water wells, and structures of the first lot.
- vii. All such restrictions shall appear clearly on the plat, and shall be included in the covenants of the subdivision.

b. Lots with an on-site sewage facility and public water.

- i. The Developer must have a registered sanitarian design an on site sewage facility for each lot.
- ii. The design must include either an aerobic (above ground drainage) system, or an anaerobic (below ground drainage system) system, with a designated alternative anaerobic drain field.
- iii. The Developer must show, on the plat, the designated drain field areas for the on site sewage facility for each lot.
- iv. If necessary, to comply with all State and Regional rules governing sewage facilities, and private water wells, the developer will designate, on each lot, areas where structures may be, or may not be constructed.
- v. That is, if required setback lines from existing, or designated, on site sewage facilities, private water wells, and structures, extend beyond the lines of a lot, the Developer will, if necessary, restrict development on the adjoining lot the setback line extends across, so that development on the adjoining lot does not interfere with the existing, or designated, on site sewage facilities, private water wells, and structures of the first lot.
- vi. All such restrictions shall appear clearly on the plat, and shall be included in the covenants of the subdivision.

F. UTILITIES INFORMATION

1. A signed statement of each entity supplying utilities shall be displayed on the plat. All names must be typed or printed directly under the executed signature. Plats must have the approval of utility companies (water and electric) as to proper location of public easements and that utilities' intent to serve the subdivision.
2. The location of all proposed utility easements and/or infrastructure, including water well sanitary easements, if applicable, shall be shown on the plat.
3. Utility diagrams as depicted in ARTICLE IX.A must be shown on the plat.
4. Designation of the water and sewer utility provider for the subdivision, if known, and the source of the water intended to serve each lot within the subdivided area (i.e. surface water, ground water from a specified aquifer, etc.).

G. DISCLAIMER REGARDING EMERGENCY SERVICES DISTRICT, IF ANY

If any portion of the lots platted lies within the boundary of an Emergency Services District, the Developer shall place the following disclaimer on the plat: "ALL (or LOTS "-" if less than all) OF THIS SUBDIVISION LIES WITHIN (NAME OF ESD). PROPERTY

WITHIN THE EMERGENCY SERVICES DISTRICT IS SUBJECT TO TAXATION AND REGULATION BY THE EMERGENCY SERVICES DISTRICT.”

H. APPROVAL BY EMERGENCY SERVICES DISTRICT, IF ANY

1. If a disclaimer is required under part VI(G) of these rules, the Developer shall submit, with the proposed plat, a letter, or other written acknowledgement from the Emergency Services District, that the proposed development does not violate the rules of the Emergency Services District.
2. The following format is acceptable: “Karnes County Emergency Services District Number x has reviewed the proposed plat for the XYZ Subdivision, Unit y . The proposed development does not violate any rule or regulation of Karnes County Emergency Services District Number x . “

I. PREPAYMENT OF AD VALOREM TAXES

1. The Developer shall submit a check payable to Karnes County for 200% of the previous year’s ad valorem taxes paid to all entities before the land contained in the road right-of-ways is conveyed to the County. For instance, if the R-O-W is 5% of the total area on the plat, the developer shall submit a check for $2.00 \times ((\text{last year’s total ad valorem taxes}) \times 0.05)$.
2. The Developer shall provide proof of previous years taxes, and any rollback taxes, paid.
2. If the amount submitted is insufficient, the developer shall pay the balance on demand. If the amount submitted is too much, the balance shall be refunded to the developer on demand.

J. RECOMENDATION OF APPROVAL OR NONAPPROVAL OF PROPOSED PLAT

After review, the Karnes County Development Review Committee shall recommend that the Commissioners Court either approve or disapprove a completed Proposed Plat

ARTICLE VI
REVISION, CANCELLATION AND AMMENDMENT OF A
SUBDIVISION PLAT

A. REVISION PROCESS

The following procedures will need to be complied with in the event a re-plat is required.

1. Any person who owns property in a platted subdivision that is subject to the subdivision controls of the county may apply in writing to the Karnes County Commissioners Court, which designates the Karnes County Development Review Committee as its agent for receiving such applications, for permission to revise the subdivision plat filed for record with the county clerk.
2. After the application is filed with the Karnes County 911 Special Projects Office, the applicant shall provide, for the County to Publish, the notice required for publication under §232.009 Texas Local Government Code, a notice of the application in a newspaper of general circulation in the county. The notice must include a statement of the time and place at which the court will meet to consider the application and to hear protests to the revision of the plat. The notice must be published at least three times during the period that begins on the thirtieth (30th) day and ends on the seventh (7th) day before the date of the meeting. The published notice must direct any person who is interested in the property and who wishes to protest the proposed revision to appear at the time specified in the notice
3. If all or part of the subdivided tract has been sold to non-developer owners, the court shall also give notice to each of those owners by certified or registered mail, return receipt requested, at the owner's address in the subdivided tract. This section is not applicable if the revision consists solely of combining existing tracts.
4. It shall be the Applicants' responsibility to pay the costs of the County.
5. Commissioners Court shall adopt an order to permit the revision of the subdivision plat if it is shown to the court that:
 - a. the revision will not interfere with the established rights of any owner of a part of the subdivided land; or
 - b. each owner whose rights may be interfered with has agreed to the revision.
6. If the Commissioners Court allows the revision, the Applicant may make the revision by filing for record with the county clerk a revised plat or part of a plat that indicates the changes made to the original plat.

B. CANCELLATION PROCESS FOR SUBDIVISION

The following procedures will need to be complied with in the event a cancellation is required.

1. Any person who owns property in a platted subdivision that is subject to the subdivision controls of the county may apply in writing to the Karnes County Commissioners Court, which designates the Karnes County Development Review Committee as its agent for

receiving such applications, for permission to Cancel all, or part, of the subdivision plat filed for record with the county clerk.

2. After the application is filed with the Karnes County 911 Special Projects Office, the applicant shall provide, for the County to Publish, the notice required for publication under §232.008 Texas Local Government Code, a notice of the application in a newspaper of general circulation in the county. The notice must include a statement of the time and place at which the court will meet to consider the application and to hear protests to the revision of the plat. The notice must be published at least three consecutive weeks before the date of the Commissioners Court meeting at which the cancellation will be considered. The published notice must direct any person who is interested in the property and who wishes to protest the proposed cancellation to appear at the time specified in the notice.
3. On application for cancellation of a subdivision or any phase or identifiable part of a subdivision, including a dedicated easement or roadway, by the owners of 75 percent of the property included in the subdivision, phase, or identifiable part, the Commissioners court by order shall authorize the cancellation in the manner and after notice and a hearing as provided by Subsections (b) and (c). However, if the owners of at least 10 percent of the property affected by the proposed cancellation file written objections to the cancellation with the court, the grant of an order of cancellation is at the discretion of the Commissioners Court.
4. It shall be the Applicants' responsibility to pay the costs of the County.
5. Commissioners Court shall adopt an order to permit the cancellation of the subdivision plat if it is shown to the court that:
 - a. The cancellation of all or part of the subdivision does not interfere with the established rights of any purchaser who owns any part of the subdivision, or
 - b. It is shown that the purchaser agrees to the cancellation.
6. The Applicant shall, after action by Commissioners Court, file a suitable instrument in the real property records, notifying the public that the subdivision has been cancelled.

C. CANCELLATION PROCESS FOR OBSOLETE SUBDIVISION

1. This section applies only to a subdivision for which:
 - a. a plat has been filed for 75 years or more;
 - b. the most recent plat describes at least a portion of the property as acreage tracts;
 - c. a previous plat described at least a portion of the property as lots and blocks; and
 - d. the county tax assessor-collector lists the property in the subdivision on the tax rolls based on the description in the previous plat and assesses taxes on the basis of that description.
2. Any person owns property in an obsolete platted subdivision that is subject to the subdivision controls of the county may apply in writing to the Karnes County Commissioners Court, which designates the Karnes County Development Review Committee as its agent for receiving such applications, for permission to Cancel all, or part, of the subdivision plat filed for record with the county clerk.

3. After the application is filed with the Karnes County 911 Special Projects Office, the applicant shall provide, for the County to Publish, the notice required for publication under §232.0083 Texas Local Government Code, a notice of the application in a newspaper of general circulation in the county. The notice must include a statement of the time and place at which the court will meet to consider the application and to hear protests to the revision of the plat. The notice must be published at least three consecutive weeks before the date of the Commissioners Court meeting at which the cancellation will be considered. The published notice must direct any person who is interested in the property and who wishes to protest the proposed cancellation to appear at the time specified in the notice.

4. Commissioners Court may adopt an order to permit the cancellation of the subdivision plat if it is shown to the court that:

- a. the cancellation and reestablishment does not interfere with the established rights of:
 - i. any owner of a part of the subdivision; or
 - ii. a utility company with a right to use a public easement in the subdivision; or
- b. each owner or utility whose rights may be interfered with has agreed to the cancellation.

5. Commissioners Court may adopt an order to permit the cancellation of the subdivision plat if it is shown to the court that:

- a. the cancellation and reestablishment does not interfere with the established rights of:
 - i. any owner of a part of the subdivision; or
 - ii. a utility company with a right to use a public easement in the subdivision; or
- b. each owner or utility whose rights may be interfered with has agreed to the cancellation

6. It shall be the Applicants' responsibility to pay the costs of the County.

D. AMENDMENT PROCESS

1. Any person who owns property in a platted subdivision that is subject to the subdivision controls of the county may apply in writing to the Karnes County Commissioners Court, which designates the Karnes County Development Review Committee as its agent for receiving such applications, for permission to file, with the county clerk, an amended plat, for one or more of the following purposes:

- a. to correct an error in a course or distance shown on the preceding plat;
- b. to add a course or distance that was omitted on the preceding plat;
- c. to correct an error in a real property description shown on the preceding plat;
- d. to show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;

- e. to correct any other type of scrivener or clerical error or omission of the previously approved plat, including lot numbers, acreage, street names, and identification of adjacent recorded plats; or
 - f. to correct an error in courses and distances of lot lines between two adjacent lots if:
 - i. both lot owners join in the application for amending the plat;
 - ii. neither lot is abolished;
 - iii. the amendment does not attempt to remove recorded covenants or restrictions; and
 - iv. the amendment does not have a material adverse effect on the property rights of the other owners of the property that is the subject of the plat.
2. The amended plat controls over the preceding plat without the vacation, revision, or cancellation of the preceding plat.
3. Notice, a hearing, and the approval of other lot owners are not required for the filing, recording, or approval of an amended plat.

ARTICLE VII
ROAD CONSTRUCTION AND DRAINAGE
REQUIREMENTS A. GENERAL REQUIREMENTS

All references to TxDOT specifications and test procedures shall be the 2004 standards or latest edition.

1. Roads and streets to be constructed shall have a minimum right-of-way of seventy (70) feet, and a cleared right-of way, centered on road to accommodate public utility easements as required.
2. Streets that are curbed shall have a minimum right-of- way of sixty (60) feet with thirty (30) feet of asphalt pavement and sixteen (16”) inch wide curb and gutter on both sides so as to provide unhampered circulation through the subdivision.
3. The County does not accept curbs, gutters, streetlights or sidewalks for maintenance.
4. Where a permanent dead-end street and/or road is designed, a turnaround (cul-de-sac), as shown in Article IX.E, shall be provided at the closed end. The turn around shall have an outside finished paved roadway diameter of ninety feet (90) road right-of-way of 130 feet.
5. All roads and streets shall intersect at 90° angles, and flare corners will be provided at all corners. All flare corners shall have a minimum twenty-five (25’) foot radius.
6. In cases where new roads as platted intersect with established roads, the new roads shall be, if practical, a continuation without offset of any intersecting road on the opposite side of the established road.
7. No roads or streets shall have any abrupt offset(s).
8. No decorative squares, trees, islands, ornamental entrances or any other obstruction to traffic shall be constructed or preserved within the right-of-way of a road dedicated to the public.
9. Driveways will be provided by the Developer or any Owner of the lot to be so accessed. A driveway permit as required in accordance with the Driveway Permitting Regulations must be obtained at the Karnes County Health & Public Safety (WCH&PS) Office.
10. Casing will be installed under streets/roads at a minimum depth of twenty four inches (24”) below ditch grade and extend from edge of right-of-way to edge of right-of-way. The casing will be installed prior to applying base material and in a sufficient number and size to accommodate utilities needs for all anticipated development. All backfill shall be select fill, (TxDOT Item 274-A-2), approved by the County Engineer, and compacted to 95% density as established in TEX-113E.
11. No water meters or fire hydrants shall be placed more than two (2) feet inside of the county right-of-way.
12. The developer shall provide culvert sizings for driveways for each lot prepared, sealed and signed by a professional engineer. The developer shall include, as a table made part of the Plat, the size culvert required for the driveway of each lot. If a culvert is not required, it shall be indicated as such in the table.

B. MINIMUM REQUIREMENTS

1. Minimum right-of-way	70'
2. Minimum Sub-grade Crown	36'
3. Minimum Sub-base Crown	30'
4. Minimum width Base Crown	26'
5. Usual compacted depth of sub-base material	6"
6. Usual compacted depth of top-base material	10"
7. Minimum ditch depth (below shoulder of sub-grade)	12"
8. Minimum pavement width	24'
9. Maximum allowable grade	9%
10. Minimum diameter of Culdesac ROW	130'
11. Minimum outside finished paved Culdesac diameter	90'

C. DRAINAGE

1. All drains, drainage structures, and appurtenances shall be designed by a person authorized to practice the profession of engineering under the provisions of the Texas Engineering Act, and amendments thereto.
2. Drainage calculations shall be made using the Rational Method or by other accepted methods. Drainage for streets and roads shall be designed for a 10-year storm frequency, and shall be subject to the approval of the County Engineer.
3. All roads or streets shall have ditches, which are a minimum depth of twelve (12) inches below the shoulder of the sub-grade. Greater depths shall be provided as required to accommodate the design flow. All street widths and grades shall be indicated.
4. Drainage structures shall be backfilled in accordance with Item 400 of the TXDOT Standard Specifications. Concrete slabs may be required as directed by the County Engineer. Pipe ends will be protected by headwalls. Rip Rap or other concrete structures shall be approved by the County Engineer.
5. All required drainage easements shall be represented to scale on the final plat.
6. All data and calculations shall be presented to the County Engineer upon request.
7. Before final acceptance for a subdivision is given by the County for street and drainage work, the Engineer responsible for the design of said work shall issue a letter to the County stating that he has made an inspection of such improvements and recommends their acceptance by the County.
8. No detention ponds, detention tanks, or other drainage structures, other than bar ditches, may be utilized, unless the developer creates a mandatory property owners association, with mandatory assessments. The POA must either own the detention ponds, detention tanks, or other drainage structures, other than bar ditches, outright, or they must fall within a drainage easement that benefits the POA. The POA must have the duty to maintain the detention ponds, detention tanks, or other drainage structures, other than bar ditches.

D. ROAD SPECIFICATIONS

1. Prior to construction of the roads, the County Commissioner/County Engineer may require the developer, at their own expense, to conduct a soil investigation by a qualified and independent geotechnical engineer licensed to practice in the State of Texas. The field investigation shall include test boring within the rights-of-way of all proposed streets at a maximum of 500 ft. intervals or as directed by the County Engineer. The number of locations of such boring shall be subject to the approval of the County Engineer. Atterberg limits and moisture contents shall be determined for all significant boring samples. The method used for these determinations shall be the same as those used by the Texas Department of Transportation using their latest Manual of Testing Procedures, 100 Series test methods. The results of the soil investigation shall be presented to the developer and the County Engineer in written report form. Included as a part of the report shall be a graphical or tabular presentation of the boring data giving Atterberg limits and moisture contents, a soil description of the layers of different soils encountered in the profile of the hole, their limits in relation to a fixed surface datum, and such other information as needed to complete the soils investigation for pavement design purposes. Minimum depth of soil profile boring shall extend thirty-six (36") below the proposed final elevation. The pavement design method shall be approved by the County Engineer prior to the pavement design.

2. Specifications for construction of roads shall provide for ten (10) inches of compacted full depth flexible base material of at least twenty-six (26) feet in width, with two (2) feet tapered to ground zero on each side of the full depth material. All roads must be paved, either with two course surface treatments or concrete paving in keeping with prevalent practice in this locality. The materials, designs, specifications and procedure shall be deemed satisfactory for base material if it complies with the Texas Department of Highways and Public Transportation specifications Item No. 247 Flexible Base, Grade 1 or 2, or as shown in ARTICLE IX.D. The Sub-grade and Top-grade shall be constructed as follows:

a. SUB-GRADE MATERIAL:

1. All unstable or otherwise objectionable material (trees, brush, stumps and unstable sub-base) of the sub-grade shall be removed and replaced with approved material. All holes, ruts, and depressions shall be filled with approved material and, if required, the sub-grade shall be thoroughly wetted with water, reshaped, and rolled to the extent directed in order to place the sub-grade in an acceptable condition to receive the base material.

2. When a fill is required to achieve the prescribed sub-grade elevation, such fill shall be placed in uniform lifts covering the entire width of the cross section. Prior to compaction, the lifts shall not exceed a six (6) inch depth.

3. Flat bottom ditches, grass retards, rock filter dams, and silt screens shall be utilized as needed to control soil erosion on road grades greater than two (2%) percent.

4. The maximum allowable road grade shall be no more than nine (9%) percent.

5. The surface road area shall be constructed as shown in ARTICLE IX.D. All ditches and bank slopes shall be cut to grade, shaped, and approved before any utility poles, water lines, or other permanent infrastructures are installed. Culvert locations shall be marked in the right-of-way to accommodate road balancing. A super elevated road

section, in lieu of a crowned road section, may be appropriate for certain sections of the road due to elevations and field conditions.

6. Blue-tops are required on the sub-grade for balancing, with a minimum ditch depth of twelve (12) inches. Blue-tops are set on centerline with a four (4) tenths (equivalent to five inches) crown and sixteen (16) feet on both sides of the centerline. A control station marker is utilized outside of the right-of-way when resetting blue-tops are necessary during road construction. Blue-tops are to be set for the sub-grade on centerline, both edges of sub-grade and a control station marker outside of right-of-way, at intervals not to exceed one hundred (100) feet. After balancing the road, the culverts shall be installed at the designated locations in accordance with ARTICLE IX.C. Culvert pipe ends shall have a minimum of a 4:1 slope. After installing the culverts, the roadway shall be bladed again in accordance with the blue-tops.

7. The sub-grade material shall be proof rolled, moisture conditioned, bladed, and compacted to the required density. The "Density Control" method of compaction will be required in the top six (6) inches of sub-grade material. Not less than ninety-five (95) percent of the density, as determined by TEX 113-E will be required. Maintain moisture content within +/- 3% as determined by TEX 113-E. Density tests will be performed (1) test per five hundred (500) feet of roadway, with a minimum of two (2) tests for each roadway regardless of its length of less than one thousand (1000) feet for each lift. Review of the density testing shall be done at a time convenient to the County Commissioner and/or County Engineer. The County Commissioner and/or County Engineer may waive the requirement for density testing in sandy sub-grade areas.

8. Upon inspection of the sub-grade, the County Commissioner and/or County Engineer shall evidence approval by signing the Road Construction and Inspection Certification Form, as shown in ATTACHMENT "17". This inspection form must also be signed by the Developer/Owner and Road Contractor. The fully executed inspection form must be received by the Karnes County 911 Special Projects Office prior to placement of any base material.

b. TOP-BASE MATERIAL:

1. The top-base material shall be constructed as shown in ARTICLE IX.D. The first course of base material shall not exceed six (6) inches, loose measure, and will be equal increments of the total depth. Material deposited upon the sub-grade shall be spread and shaped as soon as practicable. After the first lift of base material is applied, scarify and moisture condition the material with sufficient penetration to thoroughly wet the base material. The base material shall then be bladed and slop rolled with a pneumatic roller for compaction. After the base material has dried sufficiently to apply the second and final lift, the final lift shall be applied in the same manner as the first lift to establish compaction of base material. Blue-tops are set on centerline with a thirty-three (33) hundreds (equivalent to 4 inches) crown and thirteen (13) feet on both sides of the centerline with two (2) feet tapered to ground zero on each side of the outer blue-tops. The control station markers shall be used to reset the roadway blue-tops adjusting for the sub-grade to base grade blue-tops on the roadway. After the appropriate time of base material curing, the roadway shall be bladed to the blue-tops. Any excess or deficiency of

base material is addressed in accordance with the blue-top requirements. After the roadway is balanced to the blue-tops, the roadway shall again be watered and rolled for compaction.

2. The top base material shall be moisture conditioned, bladed and compacted to the required density. The "Density Control" method of compaction will be required in the entire cross section of the top base material. Not less than ninety-five (95) percent of the density as determined by TEX 113-E will be required. Maintain moisture content within +/- 3% as determined by TEX 113-E. Density tests and top base depth tests shall be performed at the rate of one (1) test per five hundred (500) feet of roadway, with a minimum of two (2) tests for each for each roadway regardless of length per lift. The County Commissioner and/or the County Engineer may witness the tests. Provide copies of the density and moisture tests to the County.

3. Review of the density testing shall be done at a time convenient to the County Commissioner and /or County Engineer. Upon inspection of the base material, the County Commissioner and/or County Engineer shall evidence approval by signing the County Road Construction and Inspection Certification Form, as shown in ATTACHMENT "17". This inspection form must also be signed by the Developer/Owner and Road Contractor. The fully executed inspection form must be received by the Karnes County Emergency Management Agency office prior to paving the road.

c. TEST TOLERANCES:

1. In the event a density test fails to meet the 95% requirement, that particular section will have to be reworked by removal, replacement and re-compaction.

2. The base shall be constructed as herein specified in one or more courses in conformity with the typical section (See ARTICLE IX.D) and specifications and to the line and grades approved by the appropriate County Commissioner/County Engineer. The Developer shall furnish an analysis of the proposed base material made by an approved Engineering Laboratory if so directed. The Developer's contractor will be required to set blue tops for the flexible base on centerline and crown-line at intervals not to exceed one hundred (100) feet.

3. All roads constructed in any subdivision unless a variance is given by Commissioners Court must be paved to a width of at least twenty-four (24) feet with a two (2) course surface treatment or concrete paving. A Prime Coat of AEP Emulsified Asphalt shall be applied prior to the two (2) course treatment application as specified by Item No. 310 of the Texas Department of Transportation Specifications. If a two (2) course surface is utilized, it must be utilized by using Asphalt (AC-5) Latex or HFRS-2P or CRS-2P, Type B Grade 3 Aggregate for the first course and Type PB Grade 4 for the second course as specified by Items No. 316 and No. 302 of the Texas Department of Transportation Specifications. Type B Grade 4 aggregate with a CSS-1 Asphalt Fog Seal may be alternated for the second course. Concrete paving must be of a grade equivalent or longer durability as the asphalt paving required above, and shall be evaluated and utilized only upon consultation and approval by the Commissioners Court of Karnes County, Texas. All drainage culverts shall utilize riprap or concrete headwalls as approved by the County

Engineer. (ARTICLE IX.C) Upon completion of road construction, the fully executed inspection form must be received by the Karnes County 911 Special Projects Office prior to acceptance of the roads by Commissioner's Court. (Attachment 17-County Road Construction and Inspection Certification Form). **In order to be placed on the Commissioner's Court agenda, this fully executed form must be submitted to the Karnes County 911 Special Projects Office by the close of business of the Monday prior to Commissioner's Court.**

E. TRAFFIC SIGNS

1. In an attempt to provide and comply with traffic safety standards, the Subdivision Developer shall furnish and install all regulatory and warning street/road signs necessary for the safety of the traveling public as determined by the County Engineer/County Commissioner. All signs shall be installed at the time a street/road is opened for use by the traveling public. All signs and installation of signs shall conform to the "Standard Highway Sign Design for Texas", as specified in the Texas Manual on Uniform Traffic Control Devices.
2. The developer shall consult with the County Engineer/County Commissioner prior to the placement of any traffic signs or guardrails.
3. All signs shall be installed prior to final inspection of roads.

F. TRAFFIC SIGN REQUIREMENTS

1. Engineer Grade Reflective Sheeting on .080 Aluminum as follows:

a. Octagon	(Stop)	30' x 30'
b. Triangle	(Yield)	36' x 36' x 36'
c. Square	(Regulatory Signs)	24' x 24'
d. Rectangle	(Speed Limit)	24' x 30'
e. Rectangle	(Large Arrows)	48' x 24'

G. STREET NAME SIGNS

1. Engineer Grade Reflective Sheeting on Flat Blade Aluminum
 - a. White lettering on Green Background for County Roads
 - b. White lettering on Blue Background for Private Roads
 - c. Use 4" Series C (or B) upper-case Letters on 6" Street Name Sign Blank (Flat Blade)
 - d. Standard length shall be 18"-36"

H. STREET SIGN REQUIREMENTS

1. Reflecting street signs shall be installed by the Developer at all intersections and at other points where appropriate within or abutting the subdivision.
2. Street signs shall be placed in a uniform manner throughout the subdivision.

3. Signs shall be placed on 2-3/8" round galvanized metal posts so that the bottom of the sign is seven (7') feet above natural grade in accordance with the TxDOT Standards and at the expense of the developer.

I. SPEED LIMIT SIGNS

1. Speed limits shall be posted as needed throughout subdivision.
 - a. Speed limits in subdivision shall be 30 M.P.H. unless approved otherwise by Commissioners Court. Prior to placing speed limit signs contact with the County Commissioner shall be made to ascertain proper speed.
 - b. Speed limit signs shall be 24" x 30" engineering grade reflective sheeting on aluminum; installed on "2-3/8" round posts.

J. "2-3/8" ROUND POSTS

1. Length: 12' – 2 pounds per foot weight

K. RIGHT-OF-WAY EROSION CONTROL

This item shall consist of preparing a seed bed to the lines and grades indicated, sowing of seeds, fertilizing, mulching with straw, cellulose fiber, and other management practices in the ROW from roadway to property line and across such areas as are indicated or as directed by the County Commissioner/County Engineer.

1. Preparing the Seed Bed – After the designated areas have been rough graded to the lines, grades and typical sections indicated on the plans and any other soil area disturbed by the construction, a suitable seedbed shall be prepared. The seedbed shall consist of either four (4") inches of approved topsoil or four (4") inches of approved salvaged topsoil cultivated and rolled sufficiently to a state of good tilth, which could prevent the seed from being covered to deep for optimum germination. The optimum depth for seeding shall be 1/4 inch. Water shall be applied as required to prepare the seedbed. Seeding shall be performed in accordance with the requirements herein after described.

2. Watering – The seeded areas shall immediately be watered with a minimum of five (5) gallons of water per square yard or as needed. Water shall be applied at a minimum rate of ten (10) gallons per square yard weekly, except when rainfall of 1/2 inch or greater occurs on the site, until the grass is uniformly 1 1/2 inches in height.

3. Broadcast Seeding – The seed or seed mixture, in sufficient quantity, shall be uniformly distributed over the prepared seed bed areas indicated or whereas directed, to achieve adequate and proper vegetative cover. If the sowing of the seed is by hand, rather than by mechanical methods, the seed shall be sown in two directions at right angles to each other. If mechanical equipment is used, all varieties of seed, as well as fertilizer, may be distributed at the same time, provided that each component is uniformly applied at the specified rate. After planting, the planted area shall be rolled with a corrugated roller of the "Cutipacker" type. All rolling of the slope areas shall be on the contour.

4. Hydraulic Planting – The seedbed shall be prepared, as specified above and hydraulic planting equipment, which is capable of placing all materials in a single operation, shall be used.

March 1 to September 1

Hydraulic planting mixture and minimum rate of application per 1000 square feet:

Hulled Bermuda Seed (PLS = 0.83)	Water Soluble Fertilizer	Cellulose Fiber Mulch	Soil Tackifier
1 lb.	15 lb.	45.9 lb.	1.4 lb.

September 1 to March 1

Add 7 pounds per 1000 square feet of winter rye with a PLS = 0.83 to above mixture

5. **Alternative Seeding** – Other methods or types of grasses may be used with the permission of the County Commissioner.

L. VEGETATIVE COVER

There shall be adequate and proper vegetative cover, as determined by the County Commissioner /County Engineer, on all right-of-ways prior to release of construction bond.

M.FINAL INSPECTION AND ACCEPTANCE

1. Construction on all roads must commence as soon as practical, but not later than ninety (90) days, after the approval of the final plat by Commissioners Court. **All roads must be completed within one (1) year of the date of plat approval.** Commissioners Court upon written request may grant extensions of time by the applicant for good cause shown. Good cause expressly includes, but is not limited to delays caused by weather conditions. Good cause does not include difficulties by the applicant in obtaining financing for the construction of the roads when the amount of financing was reasonably foreseeable at the time the subdivision plat was submitted for approval. If the roads are not completed within the time period required herein the Commissioners Court and/or the County Attorney will draft collection on the letter of credit or bond herein or pursue their other remedies hereunder.

2. The Developer, upon completion of drainage, roads, streets, and other facilities intended for the use of the public, shall provide as built plans and submit a request, in writing, that the County Engineer conduct a final inspection. The as built plans shall be provided as follows: one (1) hard copy in full size format (D or E size) and one (1) electronic copy in PDF format.

3. The County Engineer, within fifteen (15) days, shall inspect the completed work for compliance.

4. The Developer will be notified, in writing, of any work not found in compliance with the Subdivision Rules. The County Engineer will establish a reasonable time for correction of the defective work and the Developer shall make the necessary corrections within the time set or such corrections will be made by action taken upon the performance bond or financial guarantee.

5. If all the work is found to be in compliance, the County Engineer's written recommendation to accept the construction will institute the process of acceptance of the roads by Commissioners Court.

6. Upon final approval, title to all streets' right-of-way and roads shall be conveyed to the County, subject to the warranty requirements, by execution of Attachment 19, Dedication

and Conveyance of Road. Accompanying such deed shall be an adequate description of all streets and roads, either by reference to approved subdivision plat or by field note description prepared by a registered professional engineer or registered professional land surveyor of a survey on the ground

N. GUARANTEE AGAINST DEFECTIVE WORK

1. The owner shall warrant the work until the expiration of the construction bond.
2. Said warranty shall bind the Owner to correct any defects in:
 - a. materials
 - b. workmanship (including utility backfills) or
 - c. design inadequacies, which may be discovered within the said two (2) year period.
3. The Owner shall correct or cause his Contractor to correct at his own expense, such defects within **thirty (30) days** after receiving written notice of such defects from the County Engineer. Should the Owner fail or refuse to correct such defects within the said **thirty (30) day** period or to provide acceptable assurances that such work will be completed within a reasonable time thereafter, the County may correct or cause to be corrected any such defects at the expense of the Owner or his bond.
4. If within three (3) business days prior to bond expiration any noted issues haven't been corrected it will be cause for cashing the construction bond.

O. PRIVATE ROADS AND STREETS IN A SUBDIVISION

1. In accordance with the variance procedure under Article IV.C, a developer can request that the roads and streets in a subdivision not be dedicated to the use and benefit of the public.
2. If such roads and streets are not to be so dedicated, the plat must clearly state that such roads and streets are not to become public roads and will not be maintained by Karnes County or any other governmental entity unless and until:
 - a. The roads and streets are constructed in accordance with the requirements and current specifications of Karnes County and any municipality into whose E. T.J. the subdivision may lie concerning subdivision road construction;
 - b. A letter of final inspection has been issued by the County Engineer;
 - c. If so approved, such roads and streets are conveyed to Karnes County by the rightful owner thereof by a warranty deed in form and substance acceptable to Karnes County.
3. Roads and streets that are platted to remain private shall be constructed in the same manner as required in the Karnes County Subdivision and Development Rules and Regulations.
4. In consideration for granting a variance, by allowing the construction of private roads in the subdivision, the developer shall, on the final plat, grant to Karnes County a one-foot wide non-access easement around all private roads in the subdivision.
5. When the developer shall have demonstrated, to Karnes County, in the same manner as a developer constructing subdivision roads that are to be dedicated to Karnes County, that all roads and drainage structures shown on the plat have been constructed to the standards of these rules, the Commissioners Court shall release, in writing, the non-access easement.

6. The developer shall place the following disclaimer on the final plat: THERE IS DEDICATED TO KARNES COUNTY, TEXAS, A ONE-FOOT NON-ACCESS EASEMENT, AROUND THE RIGHT OF WAY OF ANY ROAD ON THIS PLAT THAT IS NOT DEDICATED TO KARNES COUNTY. THE NON-ACCESS EASEMENT MAY NOT BE CROSSED FOR THE PURPOSE OF CONSTRUCTING ANY BUILDING. WHEN THE ROADS AND DRAINAGE STRUCTURES SHOWN ON THIS PLAT HAVE BEEN CONSTRUCTED IN ACCORDANCE WITH THE KARNES COUNTY SUBDIVISION REGULATIONS, THE KARNES COUNTY COMMISSIONERS COURT SHALL RELEASE THE NON-ACCESS EASEMENT, AND NOTE SUCH RELEASE IN ITS MINUTES.

7. If entrances to private roads are gated, then each such gate must be equipped with both an automatic gate opener which automatically opens the gate when an emergency vehicle approaches with its siren and emergency lights on, and a lock box that provides keys to the gate for emergency personnel.

8. No private roads may be built unless the subdivision has a home owner's association/property owners association which collects mandatory assessments sufficient to maintain the private roads, the automatic gate sensors, and the lock box.

9. The home owner's association/property owners association must also be required by its bylaws to maintain the private roads, the automatic gate sensors, and the lock box.

ARTICLE VIII

WATER AND FIRE SUPPRESSION

A. GENERAL REQUIREMENTS

1. No subdivision lots may be sold unless either a public or approved private water system is available or unless water of adequate quality to meet State and County Health requirements is available.
2. If no public water system is available, the Developer shall cause a test well(s) to be drilled in accordance with the applicable Karnes County and State Department of Health Regulations to show evidence of potable water is available in quality and quantity for the proposed development. In lieu of drilling the test well(s), the Developer may provide copies of well logs of a minimum of three (3) wells on contiguous properties. A current water sample from each well shall be taken and analyzed for drinking water constituents by a TCEQ certified laboratory to demonstrate water quality. A statement from a Professional Geologist or Professional Engineer that adequate water is available shall also accompany the well logs and water quality analysis.
3. If a developer contracts with a public water provider to provide water, the subdivision water distribution system will be engineered to meet the requirements of Chapter 290 of the Texas Administrative Code.
4. If a developer contracts with a public water provider to provide water, the developer shall furnish a letter from the public water provider stating that water is available in quantity and quality to meet minimum state standards, and shall be available to the point of delivery to all lots.

B. FIRE SUPPRESSION

1. Where a water line of six inch (6") diameter or greater is along the roadway adjacent to or across from the proposed subdivision, and is available for service to the proposed subdivision, the Developer shall place fire hydrants to the specifications of the State Board of Insurance Standards or to the standard of any city with extraterritorial jurisdiction. Fire hydrants placed in the subdivision shall have at least two (2) two and one-half inch (2 .5") outlets with National Standard Treads (N.S.T.) and one (1) larger outlet for local fire department. (Karnes County Fire Departments utilize a four and one-half inch (4.5") steamer connection).
2. In a subdivision that is served by fire hydrants as part of a centralized water system certified by TCEQ as meeting minimum standards for water utility services, seventy-five percent (75%) of each lot within a platted subdivision must be within 500 feet of an approved fire hydrant. The fire hydrants shall be on a minimum 6" main and flow at 250 GPM for 2 hours sustained. The fire protection system shall be designed, and certified by a professional engineer certifying that these requirements have been met. The design and certification shall be provided as part of the application for subdivision development. A signed statement by a registered professional engineer certifying that these requirements have been met shall be on the plat.
3. In a subdivision that IS NOT SERVED BY FIRE HYDRANTS as part of a centralized water system certified by TCEQ as meeting minimum standards for water utility services, the developer shall provide 2,500 gallons of water storage.

4. In a subdivision that IS NOT SERVED BY FIRE HYDRANTS, and IS NOT PART OF a CENTRALIZED WATER SYSTEM certified by TCEQ as meeting minimum standards for water utility services, the developer shall provide water storage as follows:

- a. For a subdivision of fewer than 50 houses, 2,500 gallons of storage; or
- b. For a subdivision of 50 or more houses 5,000 gallons of storage.

5. The water storage tank shall:

- a. Hold the minimum amount of water storage as required
- b. Be vented
- c. Be made of non-metallic materials
- d. Be on a foundation that will support the tank at full storage capacity
- e. Be adjacent to a public road in the subdivision, and the land on which it rests must be burdened with an easement allowing Karnes County, or its agents, access to the water storage tank for purposes of maintaining it, repairing it, replacing it, filling it, or draining it.
- f. Be secured to prevent unauthorized access
- g. Have a common 4” coupling of the type used for fire hoses.
- h. Have signage displayed, on its side visible to the roadway, indicating that it contains non-potable water to be used for official use only.

6. The location(s) of the water storage tank must be approved by the Karnes County Fire Marshal prior to submission of plat application. (Attachment 10) The location(s) of the water storage tank and access easement shall be shown on the plat.

7. The developer will, upon installing the water storage tank, fill it with water to demonstrate that it will hold water. The developer may not remove the water, but has no further obligation to keep the water storage tank filled.

8. The developer shall submit a written request to the Karnes County Fire Marshal for inspection and approval of the water storage tank as meeting the requirements of these regulations. Inspection shall be conducted within 15 business days of receipt of the request.

9. Karnes County has no obligation to maintain, repair, replace or fill the water storage tank, and the developer will so note that fact on its Plat. See Art V.A.20.

10. The water storage tank must be installed, filled and pass inspection prior to the acceptance of the roads; or prior to any homes being occupied if no roads are to be constructed.

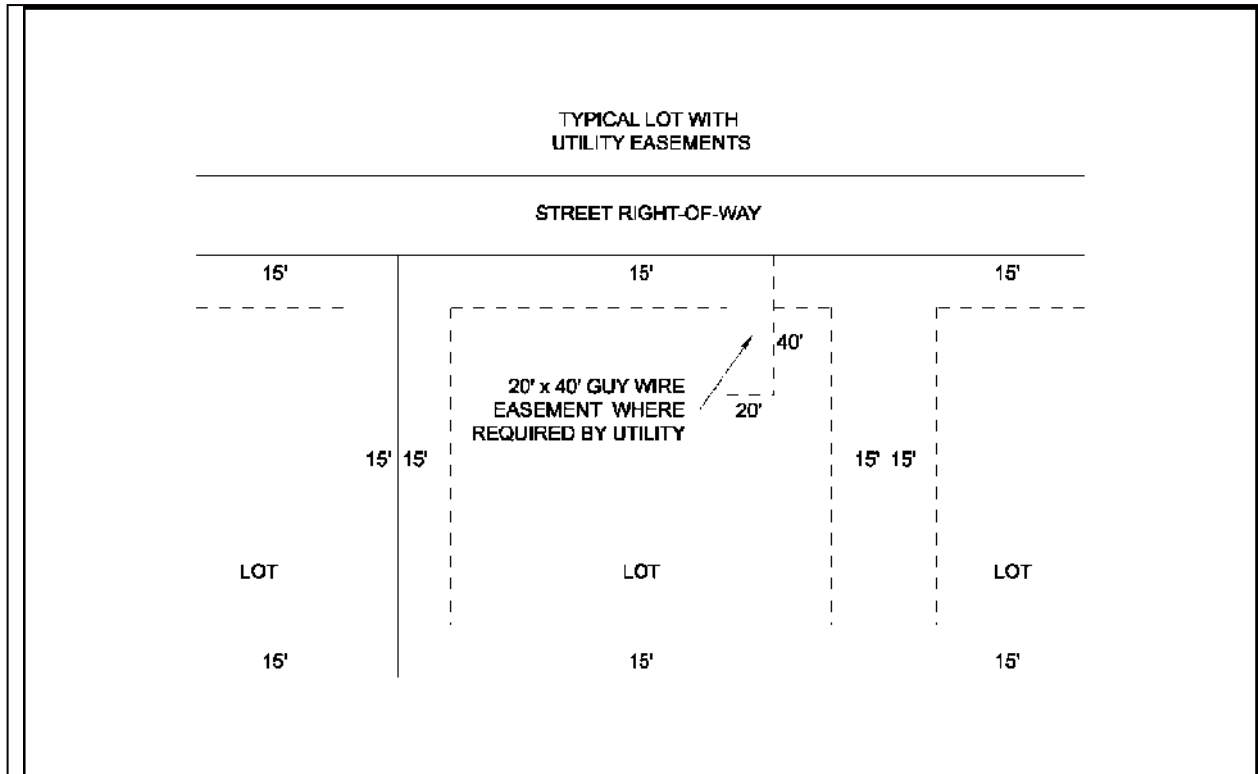
ARTICLE IX

ILLUSTRATIONS

A. UTILITY EASEMENT

Items required on plat for electric service to subdivisions

1. Utility Easement Diagram



2. Signature Block

This plat of (*name of subdivision*) has been submitted to and approved by (*name of utility company*) for easements.

Agent for (*name of utility company*)

3. Notes on plat:

Electric service is to be provided by: (*name of utility company*)

There is hereby dedicated a fifteen (15) foot wide electric distribution line easement along all front, side and rear lot property lines. There is hereby dedicated a thirty (30) foot easement centered on all existing lines.

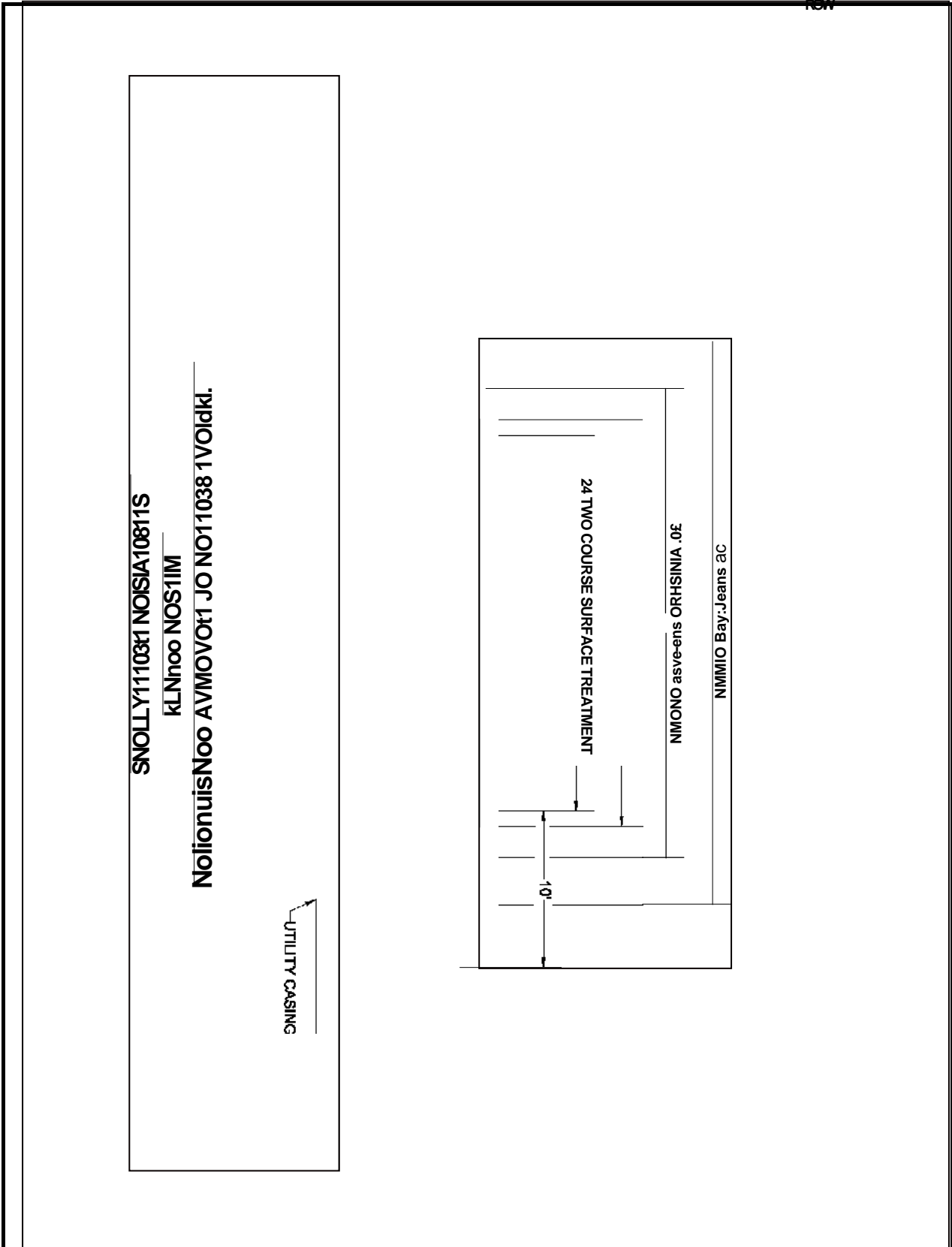
Each lot is also subject to a floating twenty (20) foot wide by forty (40) foot long electric guy wire easement as required by the electric utility.

All electric utility easements are for the construction maintenance (including but not limited to removal of trees and other obstructions), reading of meters and repair of all overhead and underground electric utilities.

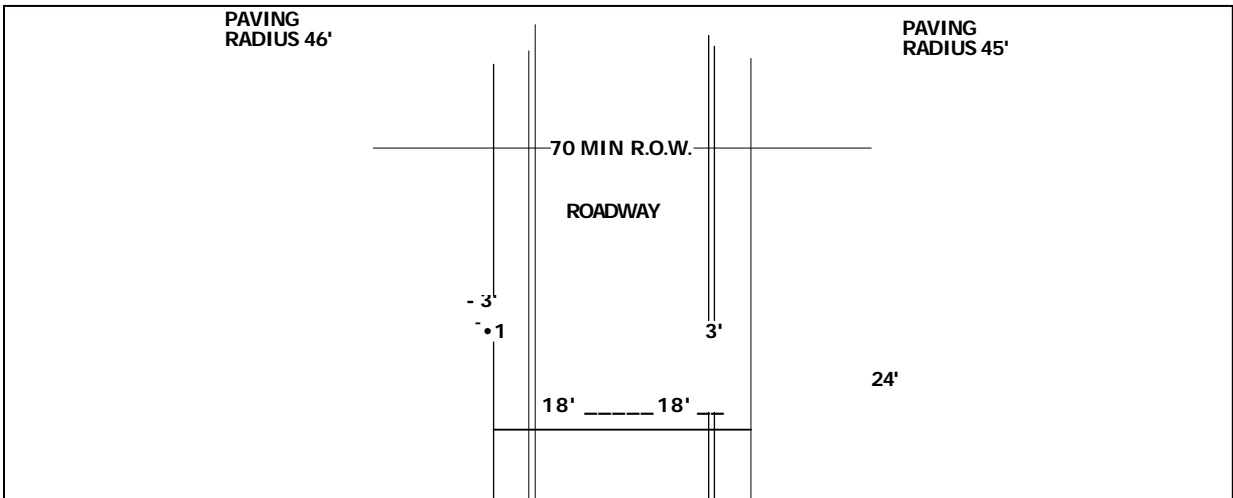
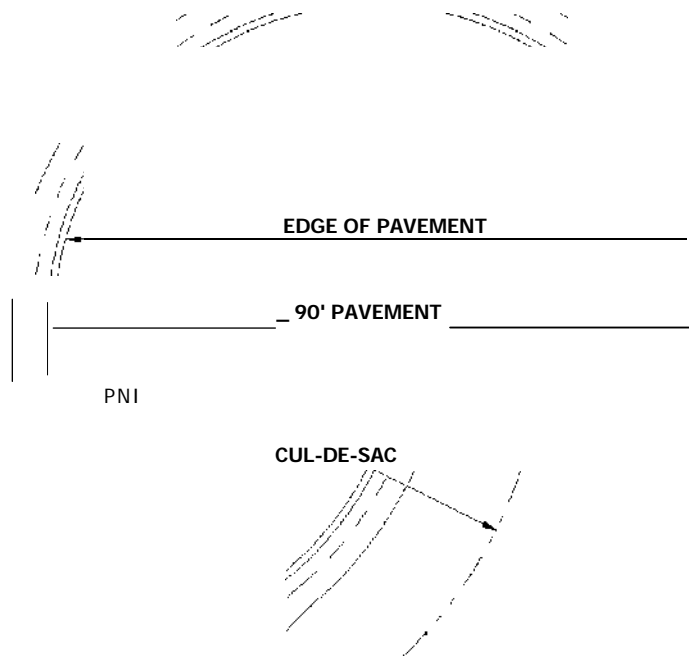
No buildings, or other obstructions or well of any kind shall be placed on any electric easements, nor shall any trees be planted thereon.

D. ROADWAY CONSTRUCTION DIAGRAM

ROW



E. CULDESAC DIAGRAM



CUL-DE-SAC AND ROADWAY LAYOUT

ARTICLE X

ATTACHMENTS

(These attachments may be amended from time to time without amending or affecting the remainder of these regulations)

ATTACHMENT 1

SUBDIVISION DEVELOPMENT FEES

Application fee for Plat without roads	\$100.00/lot
Application fee for Plat with roads	\$3,000 + \$100.00/lot
Minimum application fee for all new subdivisions	\$500.00
Application fee to Amend a Plat	\$200.00
Application fee to Revise a Plat	\$100.00/lot created (plus all publication costs)
Application fee to Cancel a Plat	\$100.00/lot (plus all publication costs)
Filing fee for final approved plat in the Office of Karnes County Clerk (<i>To be paid to "Karnes County Clerk" at time of filing</i>)	\$111.00 for first page \$100.00 for each additional page
Application fee for non-standard plat or variance	\$100.00
Texas Veterans Exclusion Request	\$100.00
Hard Copy of Subdivision Regulations	\$25.00

These fees are subject to change. It is the responsibility of the holder of the copy of these regulations to maintain a current copy.

ATTACHMENT 2

SUBDIVISION APPLICATION CHECKLIST

The following items **MUST BE** included as part of your application for subdivision development:

15 blue line copies of proposed plat (18x24) – *contour lines MUST BE indicated or application will not be accepted.*

Copy of deed indicating ownership of property

Letter from public water utility company

Letter from electric utility company

Letter from telephone provider

Letter from TXDOT – *if applicable* N/A

Letter from Emergency Services District (ESD) – *if applicable* N/A

Draft of Construction Bond, Letter of Credit or Escrow Agreement

Copy of Covenants and Restrictions for proposed subdivision Tax

Certificates indicating all taxes are paid in full and current

Floodplain application – include a separate check in the amount of the current fee

Drainage Analysis to include all maps and calculations to support the study

Downstream Impact Analysis

Soil Evaluation of site for proposed subdivision

Road Design and Construction Drawings

Engineer certified culvert sizings per each lot

Master Plan– *if applicable* N/A

Attachment 2 – Subdivision Application Checklist

Attachment 3 – Application for Subdivision Plat Consideration

Attachment 4 – Additional Requirements to Ascertain Compliance

Attachment 5 – Plat Physical Characteristics and Appearance

Attachment 8 – 911 Addressing Road Name Verification

Attachment 9 - U S Postmaster Acknowledgment

Attachment 10 - Water Storage Tank Approval

Attachment 12 – Construction Costs Estimate Review and Acceptance, if applicable

******Incomplete applications will not be accepted. * * ****

APPLICATION FOR SUBDIVISION PLAT CONSIDERATION

Date Received: _____

Check #: _____ Receipt #: _____

Owner:

Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ E-mail: _____

Developer (If not same as Owner):

Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ E-mail: _____

Contact Person (If not same as Owner):

Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ E-mail: _____

Name of Proposed Subdivision: _____

Size and Location of Original Tract: _____

Name of Nearest Public Road/Street to Subdivision: _____

Commissioner Precinct No: _____ School District(s): _____

Water Service Provider: _____

Electric Utility Provider: _____

Engineer

Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ E-mail: _____

Surveyor

Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ E-mail: _____

ATTACHMENT 4

ADDITIONAL REQUIREMENTS TO ASCERTAIN COMPLIANCE

(This attachment shall be completed in its entirety and submitted as part of the application)

The following checklist is for the use of a Developer in ascertaining initial compliance with the Karnes County Subdivision and Development Rules and Regulations and assisting the Karnes County 911 Special Projects Office in processing an application under the Rules. This list does not supersede or replace the Subdivision Rules and each applicant must comply with the Subdivision Rules, as they are amended from time to time. The General Criteria established throughout this document establishes minimum criteria. If the requested subdivision deviates in any substantive way from these criteria established herein, a variance is required. This completed list should be presented to the Karnes County 911 Special Projects Office with each preliminary plat. **Check the appropriate response.**

1. Is any part of the proposed subdivision in the extraterritorial jurisdiction of an incorporated municipality? YES NO N/A

If so:

a. Which city _____

b. Does the city control its own ETJ territory for platting? YES NO

c. If any part of the proposed subdivision is in the extraterritorial jurisdiction of an incorporated municipality, have you presented the plat to that municipality for approval?
YES NO

2. Did you obtain approval from Commissioners Court for any variances from the platting requirements of Karnes County? YES NO

a. If so, is a copy of the approval of the variance attached? YES NO

3. Will the roads, streets and alleys of the subdivision be dedicated to the public?

YES NO N/A

4. Will the roads, streets and alleys remain private? YES NO N/A

a. If the roads, streets and alleys, and other common elements are to remain private, will title to them be transferred to a POA/HOA or other entity with the responsibility to maintain them? YES NO

b. Will a gate or other device to control access barricade the entrance to the subdivision?
YES NO

c. If the subdivision is to be a controlled access (gated) community, have you provided for a siren operated automatic gate opener, and a Lock Box and Emergency Response Key, and letters from EMS, Law Enforcement, and Fire Departments?
YES NO

5. If the subdivision fronts a TXDOT controlled highway, have you provided a letter from TXDOT for highway access? YES NO N/A

6. Will a Home Owner's Association be created? YES NO N/A

If so, is the appropriate statement regarding a Home Owner's Association included on the plat? YES NO N/A

7. Will the proposed subdivision be served by: (check one)

a. A public water system?

b. Private water wells? If so, have you obtained the necessary evidence that potable water is available for each tract? YES NO N/A

8. Will the proposed subdivision be served by: (check one)

a. On-Site Sewage Facilities (OSSF)? If so, have you attached the required site evaluations? YES NO N/A

b. A municipal sewage disposal system?

c. A quasi-municipal sewage disposal system?

d. A central sewage disposal system?

If b, c, or d applies, have you included Drawings to include engineered plans for sewage installation? YES NO

9. If each lot is to be served by private water well AND OSSF, is each lot at least two (2) acres? YES NO N/A

If No, have you complied with the Dense Lot requirements of Art.V.E.6?

YES NO N/A

Have you provided proof? YES NO N/A

10. If each lot is to be served by a public water system and OSSF, is each lot at least one (1) acre? YES NO N/A

If No, have you complied with the Dense Lot requirements of Art.V.E.6?

YES NO N/A

Have you provided proof? YES NO N/A

11. Is the proposed development within an Emergency Services District (ESD)?

YES NO

If so, have you provided a letter from the ESD indicating the proposed development will be in compliance with their rules and regulations?

Y E S N O

ATTACHMENT 5

PLAT PHYSICAL CHARACTERISTICS AND APPEARANCE

All writing and drawings on the Record Plat must be large enough to be easily legible following recording, and legible at 50% photocopy reduction.

The following information must be indicated on the plat

1. The original patented survey(s);
2. The number of acres in each survey with the abstract number of same; and
- 3 The volume and page of the current deed, as filed in the Official Public Records of Karnes County, of the tract being subdivided.
4. Boundary lines and total acreage of the Original Tract and the Subdivision.
5. Total number of lots in the subdivision unit.
6. A listing of lots and respective acreage within the proposed subdivision.
7. Total acreage and dimensions of each lot. The area of each lot must be shown in acres to two (2) decimal places.
8. Location and acreage of any proposed parks, squares, greenbelts, schools, or other public use facilities.
9. Names of adjoining subdivisions or owners of property contiguous to the proposed Subdivision.
10. Name, address and signature of the Owner, and Developer or Applicant if not the Owner. (All names must be typed or printed directly under the executed signature.)
11. Name, address and signature of the Surveyor and/or Engineer. (All names must be typed or printed directly under the executed signature.)
12. Area map showing general location of Subdivision in relation to major roads, towns, cities or topographic features.
13. North arrow, scale and date. The scale shall not exceed 1" = 200'.
14. GPS coordinates at least 2 corners of the subdivision.
15. Boundary lines of any incorporated city and the limit of the extraterritorial jurisdiction (ETJ) of any city.
16. Indicate the school district in which the Subdivision is located. *In the event any lot lies within more than one school district, then the plat shall clearly state the number of acres within the lot that lies within each school district.*
17. Indicate location of any existing structures (wells, cemeteries, etc.) in the subdivision, on the plat.
18. Bearings and dimensions of the boundary of the Subdivision and all lots, parks, green belts, easements, or reserves. Dimensions shall be shown to the nearest one-hundredth of a foot (0.01') and bearings shall be shown to the nearest one second of angle (01"). The

length of the radius and arc of all curves, with bearings and distances of all chords, shall be clearly indicated.

19. A description of monument used to mark all boundary, lot and block corners, and all points of curvature and the tangent on street rights-of-way.
20. Location of original survey line. The subdivision shall be located with respect to an original corner of the original survey of which it is a part.
21. Lot numbers are to be arranged in a systematic order and shown on the plat in distinct and legible figures.
22. Elevation contours of no greater than ten foot intervals, or 2 foot if applicable, shall be shown on the plat.
23. All special Flood Hazard Areas identified by the most current Flood Insurance Rate Maps published by the Federal Emergency Management Agency.
24. For subdivisions containing 100-year floodplain, benchmarks and required finished floor elevations of each lot shall be shown.
25. Each lot in the 100-year floodplain shall contain on the plat sufficient additional contours to identify and delineate the 100-year floodplain and regulatory floodway, if any. If base flood elevations have not been established, they shall be established by a method satisfactory to the Karnes County Floodplain Ordinance.
26. The location and size of all proposed drainage structures, including on-site retention or detention ponds and easements and the impact of lot and street layouts on drainage.
27. Depiction of all streams, rivers, ponds, lakes, other surface water features or any Sensitive Features (as defined by the Texas Commission On Environmental Quality in CFR 30 Texas Administrative Code 213.3) and a statement certified by the surveyor or engineer under his or her professional seal that, to the best of his or her knowledge, the plat accurately reflects the general location (or absence) of all such features in accordance with the terms of these Regulations.
28. Total length of all streets, to the nearest Linear Foot.
29. Total area of all common areas to be dedicated to the public.
30. Location, length, and right-of-way widths of all proposed streets and depiction of how all proposed streets shall connect with previously dedicated, platted, or planned streets within the vicinity of the subdivision.
31. Location, size, and proposed uses of all proposed access easements, or shared access driveways, if any.
32. A written certification from a Registered Professional Engineer that the location and dimensions of streets as set forth and laid out on the Preliminary Plat or Survey are in accordance with these Regulations.
33. The following statement shall appear prominently on the Final Plat: “in order to promote safe use of roadways and preserve the conditions of public roadways, no driveway constructed on any lot within this subdivision shall be permitted access onto a publicly dedicated roadway unless a **Driveway Permit** has been issued by the Karnes County Health and Public Safety Office. The driveway shall be constructed according to specifications stated within the permit.

34. The following statement shall appear prominently on the Final Plat: “No homes are to be built or brought onto the lot until all required permits have been obtained.”
35. An appropriate statement indicating the types of sewage disposal systems required for the subdivision.
36. A signed statement of each entity supplying electric and water utilities shall be displayed on the plat. All names must be typed or printed directly under the executed signature.
37. The location of all proposed utility easements and/or infrastructure, including water well sanitary easements, if applicable.
38. All required drainage easements shall be represented to scale on the final plat.
39. Drainage easement statement as required by Art.V.A.22
40. The appropriate statement regarding a Home Owner’s Association as required by Art.II.L
41. Statement regarding water storage tank, if required by Art.V.A.20
42. Statement regarding non-access easement around private roads, required by Art. VII.O.6., if applicable.
43. Statement regarding Emergency Services District, if applicable. Art. VI.G.
44. Dense lot requirements, if applicable. Art. V.E.6.
45. Table indicating culvert sizings per lot
46. Lots affected by Special Flood Hazard Area (SFHA) must be listed in the notes section.
47. Signature block for TXDOT if development fronts a TXDOT controlled road.
48. Signature block for Karnes County Development Review Committee Chairman.
49. Signature block for Commissioner’s Court approval.
50. County Clerk recording acknowledgment.

ATTACHMENT 6

NON-STANDARD PLAT/VARIANCE APPLICATION CHECKLIST

The following checklist is for the use of the applicant in ascertaining initial compliance with the Non-Standard Plat/Variance Procedures of the Karnes County Subdivision and Development Rules and Regulations and assisting the Karnes County 911 Special Projects Office in processing an application under the Rules. This completed list should be presented to the Karnes County 911 Special Projects Office with each Application for Non-Standard Plat/Variance Consideration.

***The following documents shall be submitted as part of the application.
Incomplete applications WILL NOT be accepted.***

Attachment 7, Non-Standard Plat/Variance Application – must be filled out in its entirety.

A complete copy of deed indicating applicant’s ownership of the property.

A survey plat indicating the parent tract and the tract being created by the proposed Non-Standard Plat/Variance.

Letter from the appropriate electric utility supplier.

Name of Company:

Letter from the appropriate water utility supplier.

Name of Company:

If the tract being created by the proposed Non-Standard Plat/Variance has frontage on a state maintained road, a statement from TXDOT indicating availability of access to property.

If the property is within a subdivision, a copy of the Subdivision Covenants, Conditions and Restrictions.

If the property is within a subdivision, but Subdivision Covenants, Conditions and Restrictions do not exist, a signed and dated statement from the applicant stating that they do not exist.

If the property is within a subdivision, a statement from the Home Owner’s Association indicating the division of the tract is not in violation of the Subdivision Covenants and Restrictions.

If the property is within a subdivision, but a Home Owner’s Association (HOA) does not exist, a signed and dated statement from the applicant stating that an HOA does not exist.

ATTACHMENT 7

NON-STANDARD PLAT/VARIANCE APPLICATION

Non-Standard Plat/Variance approval is to be obtained by the owner of the property to be subdivided prior to selling. Therefore, the applicant is the owner of the property to be subdivided.

Date Received: _____ Commissioner Precinct #: _____

Check #: _____ Receipt #: _____

1. Name of Owner: _____

2. Address of Property to be subdivided: _____

3. Mailing Address of Owner: _____

4. Phone Number of Owner: _____

5. Name of Alternate Contact Person: _____

6. Address of Alternate Contact Person: _____

7. Phone Number of Alternate Contact Person: _____

8. Relief Requested (Reference the specific Section/Paragraph of the current Karnes County Development Rules and Regulations):

9. Reason for Requesting Relief

a. What special circumstances or conditions affecting the land involved such that the strict interpretation of the provisions of these regulations would deprive you of the reasonable use of this land.

b. Why is relief necessary for the preservation and enjoyment of a substantial property right of yours?

c. Will the granting of relief not be detrimental to the public's health, safety, and welfare? Please explain.

d. Will the granting of relief not have the effect of preventing the orderly subdivisions of other land in the area? Please explain.

Applicant Signature: _____ Date: _____

ATTACHMENT 8

911 ADDRESSING ROAD NAME VERIFICATION

Name of Proposed Subdivision: _____

Developer Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ E-mail: _____

Road Names	Length in Linear Ft.
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Submitted by:

Date:

Printed Name

Signature

(DO NOT WRITE BELOW THIS LINE)

Approved by:

Date:

Karnes County 911 Addressing

ESN: _____ Fire: _____

EMS: _____

Law Enforcement: _____

911 Addresses will be issued upon presentation of approved and filed Final Plat.

ATTACHMENT 9

ACKNOWLEDGMENT BY U.S. POSTMASTER

To be filled out by developer:

Name of Proposed Subdivision: _____

Developer Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ E-mail: _____

To be filled out by Postmaster:

I have discussed the requirements with the developer for postal delivery to the subdivision.

The developer is required to install centralized mailboxes

OR

Individual mailboxes for each lot is preferred

Special Requirements (if any): _____

Printed Name

Date

Signature

U.S. Postmaster, _____ Post Office
City/Town

ATTACHMENT 10

WATER STORAGE TANK APPROVAL AND INSPECTION

Date Received: _____

Name of Proposed Subdivision: _____

Developer Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ E-mail: _____

1. Total No. of Lots in subdivision:			
2. Centralized Water System	OR	Private Water Wells	
3. 5,000 gallons	Water storage required:	2,500	gallons
4. If 5,000 gallons water storage required, No. of water storage tanks:			

To be completed and submitted along with plat application.

The location(s) of the water storage tank has been reviewed and approved. The location(s) of the water storage tank and its access easement are shown on the plat.

Karnes County Fire Marshal DATE

To be completed after installation is complete.

The installed water storage tank(s) meets the requirements of the Karnes County Subdivision and Development Rules and Regulations.

Karnes County Fire Marshal Date

ATTACHMENT 11

KARNES COUNTY HEALTH DEPARTMENT APPROVAL

KARNES COUNTY HEALTH & PUBLIC SAFETY DEPARTMENT

Health & Public Safety Officer

SUBDIVISION NAME: _____

DATE OF REVIEW: _____

The above stated subdivision has met the requirements of Karnes County for On Site Sewage Facilities.

DESIGNATED REPRESENTATIVE

DATE

ATTACHMENT 12

CONSTRUCTION COSTS ESTIMATE REVIEW and ACCEPTANCE

Date Received: _____

Subdivision Name: _____

Construction costs estimate for roads and drainage structures: _____

Construction costs estimate for sewage facility, if applicable: _____

Reviewed and Submitted by: (Must provide signatures of BOTH the developer/owner and Engineer)

Developer

Date

Engineer for Developer

Date

THE ESTIMATES PROVIDED HAVE BEEN REVIEWED AND ACCEPTED BY:

(Signatures of BOTH the Engineer and appropriate Commissioner must be provided)

County Engineer

Date

Commissioner Pct. #

Date

ATTACHMENT 13

**CONSTRUCTION BOND OR ALTERNATIVE FINANCIAL GUARANTEE
REVIEW and APPROVAL FORM**

Name of Subdivision: _____

Date Submitted: _____

Name of Applicant: _____

Address: _____

Phone: _____ Cell: _____

Fax: _____ E-mail: _____

The following is attached:

Construction Bond Amount: _____

Alternative Financial Guarantee Amount: _____

DRAFT REVIEWED AND APPROVED AS TO FORM BY:

Herb Hancock
County Attorney

Date

ORIGINAL RECEIVED BY:

Vi Malone
County Treasurer

Date

ATTACHMENT 14

SIGNATURE BLOCK FOR FINAL APPROVED PLAT

This is the signature block to be shown on the plat:

STATE OF TEXAS §
COUNTY OF KARNES §

Chairperson, Karnes Co Development Review Committee

Date

Approved by the Commissioners Court of the County of Karnes, Texas this the ____
day of _____, 2013. .

Barbara Najvar Shaw, County Judge

Shelby Dupnik, Commissioner, Pct. No. 1

A.T. Pete Jauer, Commissioner, Pct. No. 2

James Rosales, Commissioner, Pct. No. 3

Tracey Schendel, Commissioner, Pct. No. 4

ATTACHMENT 15

COUNTY CLERK RECORDING ACKNOWLEDGMENT

This is the recording acknowledgment to be shown on the plat:

I, CAROL SWIZE, COUNTY CLERK OF KARNES COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, _____ A.D. AT _____ O’CLOCK ___M AND DULY RECORDED IN VOLUME _____, PAGE _____, PLAT RECORDS OF KARNES COUNTY, TEXAS.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS ___ DAY OF _____, _____ A.D.

COUNTY CLERK, KARNES COUNTY, TEXAS

ATTACHMENT 16

COUNTY CLERK PLAT FILING INFORMATION

This form is used to document the filing information of the Final Approved Plat:

STATE OF TEXAS §
COUNTY OF KARNES §

Subdivision Name: _____

Date Plat filed: _____

Map and Plat Records Volume _____ Page(s) _____

Date Restrictions filed: _____

Official Public Records Volume _____ Page(s) _____

Carol Swize
County Clerk

By: _____
Deputy Clerk

ATTACHMENT 18

AFFIDAVIT THAT CONVEYANCE IS TO A RELATIVE

STATE OF TEXAS)(
COUNTY OF KARNES)(

BEFORE ME, the undersigned authority personally appeared
and , each being duly sworn by me states the following:

"I/We own the following tract of land: all of that certain acre tract of land
conveyed to me/us in a Deed (or other instrument), dated , of record at
Volume , Page , Official Public Records of Karnes County, Texas."

"I/We are conveying, by a separate Deed, acre(s) of land, described in a Plat and/or
Metes and Bounds attached as Exhibit A, to

And . The relationship between me/us and the
persons(s) the land is being conveyed to is , and

I/we swear or affirm that at least one of us is related to at least one of them within the third
degree of affinity, or consanguinity, including step relationships."

"Further Affiant Sayeth not."

(Name of Affiant/Grantor)

(Name of Affiant/Grantor)

STATE OF TEXAS)(
COUNTY OF KARNES)(

BEFORE ME, the undersigned authority on the day of
20 , personally appeared and and
state upon their oath that the facts stated above are true and correct.

Notary Public – State of Texas

ATTACHMENT 18 (cont.)

Table for Determining Degree of Relationship

Note: “Step” relationships, from a current marriage, or a marriage terminated by the death of a spouse, are included within the meaning of each definition.

Degree of Nepotism	Consanguinity (Blood) Land Owner	Affinity (Marriage) Land Owner’s Spouse
First Degree	Father Mother Son Daughte	Father in Law Mother in Law Son in Law Daughter in
Second Degree	Brother /Sister Grandfather/ Grandmother Grandson/Granddaughter	Brother/Sister in Law Grandfather / Grandmother in Law Grandson/ Grand Daughter in Law
Third Degree	Great Grandfather Great Grandmother Uncle/Aunt Nephew/Niece Great Grandson/	Spouse’s Great Grandfather/Great Grandmother Spouse’s Uncle/Aunt Spouse’s Nephew/NieceSpouse’s Great Grandson/Great

ATTACHMENT 19

(Owner of Development)

TO
COUNTY OF KARNES, TEXAS

DEDICATION AND CONVEYANCE OF ROADS

STATE OF TEXAS §
COUNTY OF KARNES §

WHEREAS, _____, the undersigned, is the developer of _____ Subdivision, as shown by plat of record of Volume __ Page____ of the plat records of the County of Karnes, Texas; and

WHEREAS, it is the desire of such developer to dedicate and convey all of the roads shown on such plat to the County of Karnes; and

WHEREAS, the County of Karnes, finding the public interest has been established, desires to accept such dedication as is evidence by the signature of the County Judge, and attestation by the County Clerk attached hereto;

NOW THEREFORE, the undersigned does hereby dedicate and convey, in accordance to the provisions of Chapter 281, Texas Transportation Code, all of the following roads, streets, highways, alleys and right-of-ways to wit: all roads, streets, highways, alleyways as shown or delineated on the plat of the _____ Subdivision filed for record in Volume __ Page____ of the plat records of the County of Karnes, Texas.

This dedication shall be effective only upon acceptance by the County of Karnes, as evidence by the signature of the County Judge and the attestation by the County Clerk attached hereto:

Notwithstanding the terms of this instrument, however, nothing contained herein shall in any way waive or alter the obligation upon the developer to maintain and comply with the bonding requirements contained in the Karnes County Subdivision And Development Rules and Regulations, nor shall it in any manner excuse or excuse any violation of such subdivision regulations, but rather, as a portion of the consideration for the acceptance of this dedication, the

grantor agrees and binds himself to comply with all the regulations of the subdivision regulations of the Commissioners Court of the County of Karnes, Texas, as the same or currently in force as of the date of this Acceptance, including the obligation to reimburse the County for ad valorem taxes due, or to become due, for this road right of way. However, nothing contained herein shall in any manner make additional requirements nor obligations of the grantor other than or as expressly stated in the date hereof.

To have and to hold all of such roads, streets, highways, alleys and right-of-ways unto the County of Karnes, acting through Commissioners Court of the County of Karnes, absolutely and forever, and the undersigned does hereby bind itself/himself, it/his successors and assigns to forever warrant and forever defend title to such roads, streets, highways, alleys and right-of-ways unto the County of Karnes, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Signed this the ____ day of _____, _____.

(CORPORATE ACKNOWLEDGEMENT)

STATE OF TEXAS)
COUNTY OF KARNES)(

This instrument was acknowledged before me on this the ____ day of _____,
by _____, _____ of _____,
a corporation, on behalf of said corporation.

Notary Public in and for the State of Texas
My commission expires:

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF TEXAS)
COUNTY OF Karnes)

This instrument was acknowledged before be on this the _____ day _____, 2013, by Barbara Najvar Shaw, Countyty Judge of the County of Karnes, Texas.

Notary Public in and for the State of Texas My
commission expires:

ACCEPTANCE:

This dedication is hereby accepted by the Commissioners Court of the County of Karnes, Texas, on this the ____ day of _____ , _____ .

Barbara Najvar Shaw, County Judge

ATTEST:

Carol Swize, County Clerk

STATE OF TEXAS)
COUNTY OF KARNES)

This instrument was acknowledged before me on this the _____ day of _____ , _____ , by Barbara Najvar Shaw, County Judge of the County of Karnes, Texas.

Notary Public in and for the State of Texas My
commission expires:

ATTACHMENT 20

TEXAS VETERANS TRACT EXCLUSION REQUEST

NAME OF APPLICANT: _____

ADDRESS: _____

PHONE: _____

REASON FOR REQUEST: _____

Applicant Signature

Date

DOCUMENTATION NEEDED TO PROCESS REQUEST:

1. Completed Texas Veterans Tract Exclusion Request Application Form (Attachment 20)
2. Legal Description of Property
3. 911 Physical Address
4. Survey of Property
5. Statement from Veterans' Land Board that lots have been sold through a Veterans' Land Board Program
6. Affidavit from the Owner to that effect or other reliable documentation that establishes the exclusion
7. Reference Texas Veterans Land Board Account Number/GF Number

The proposed subdivision of this tract is not in violation of the Karnes County Subdivision and Development Rules and Regulations.

Chairman
Karnes County Development Review Committee

Date

Barbara Najvar Shaw, Karnes County Judge

Date

REQUEST FOR EXTENSION OF TIME

This form is used to request an additional length of time to provide deficient items as noted during review of the proposed plat.

Name of Proposed Subdivision: _____

Developer Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ E-mail: _____

Reason for Requesting Extension: _____

Original due date: _____

I understand that if the noted deficiencies are not provided by the deadline indicated below, my plat application will be returned to me and I will be required to file a new application.

Developer Signature

Date

Approved

Denied

Extended due date: _____

Chairperson
Karnes County Development Review Committee

Date

REQUEST FOR PRELIMINARY MEETING

This form is to be used to request a preliminary meeting with the County Engineer prior to submission of the subdivision development application.

Name of Proposed Subdivision: _____

Developer Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ E-mail: _____

I request a preliminary meeting with the County Engineer. I understand that when there is no County Engineer on the county payroll, as a salaried employee, all professional fees charged by the County Engineer for the requested meeting shall be my responsibility for payment.

Signature

Date

ATTACHMENT 23

APPLICATION FOR CANCELLATION OF A SUBDIVISION

Date Received: _____ Cancellation Fee: _____

Check #: _____ Receipt #: _____

Name of Subdivision: _____

Plat Recording Information:

Date: _____ Volume: _____ Page: _____ Map and Plat Records

Developer Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ E-mail: _____

Total # of Lots: _____ How many lots have been sold? _____

Reason for Cancellation: _____

Applicants Signature

Karnes County Development Review Committee

Review Date: _____ Committee Recommendation: Favorable
Unfavorable

Chairman

ATTACHMENT 24

APPLICATION TO AMEND A SUBDIVISION PLAT

Date Received: _____ Amendment Fee: _____

Check #: _____ Receipt #: _____

Name of Subdivision: _____

Plat Recording Information:

Date: _____ Volume: _____ Page: _____ Map and Plat Records

Developer Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ E-mail: _____

Reason for Amending the plat: _____

Applicants Signature

Karnes County Development Review Committee

Review Date: _____ Committee Recommendation: Favorable
Unfavorable

Chairman

ATTACHMENT 25

APPLICATION TO REVISE A SUBDIVISION PLAT

Date Received: _____ Revision Fee: _____

Check #: _____ Receipt #: _____

Name of Subdivision: _____

Developer Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ E-mail: _____

Recording Information of Subdivision Plat being revised:

Date: _____ Volume: _____ Page: _____ Map and Plat Records

No. of lots being revised: _____ No. of lots being created: _____

Reason for Revising the plat: _____

Applicants Signature

Karnes County Development Review Committee

Review Date: _____ Committee Recommendation: Favorable
Unfavorable

Chairman