

TREE PRESERVATION APPEAL APPLICATION

SECTION 1. APPLICANT/OWNER INFORMATION Please Print or Type

CONTACTS: BOBBY SAMUEL
RYAN JOYCE

Applicant/Developer: MERITAGE HOMES OF TEXAS LLC
Street Address: 8840 CYPRESS WATERS BLVD. SUITE 100
City: DALLAS State: TX Zip: 75019
Telephone: 972.580.6329 Fax: — E-mail: BOBBY.SAMUEL@MERITAGEHOMES.COM & RYAN.JOYCE@MERITAGEHOMES.COM
Applicant's Status: (Check One) Owner ☒ Tenant ☐ Prospective Buyer ☐

Property Owner must sign the application or submit a notarized letter of authorization.

Owner: MERITAGE HOMES OF TEXAS LLC
Street Address: SEE ABOVE
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____ E-mail: _____
Signature of Applicant _____ Signature of Owner [Signature]
Date: _____ Date: _____

SECTION 2. APPEAL REQUEST INFORMATION

Address or Legal Description: MARSHALL RIDGE PHASE 3D - See ATTACHED PLAT
Lot(s): _____ Block(s): _____ Subdivision Name: _____
Unplatted Property Description: _____

Abstract Name & Number: _____ Tract Number(s): _____
If property is not platted, please attach a metes and bounds description.

Justification for Requested Variance: SEE ATTACHED LETTER
AMENDMENT TO TREE APPEAL - RESOLUTION NO. 3769

A detailed letter of justification and/or exhibits shall accompany this application.

Protected Tree: A tree that is listed in Section 8.19 of the UDC and has a diameter of three inches (3") or greater measured at eighteen inches (18") above ground for large trees or two inches (2") or greater measured at eighteen inches (18") above ground for understory trees.

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ARTICLE NINE
Unified Development Code

Adopted: July 7, 2015



TREE PRESERVATION APPEAL APPLICATION

SECTION 3. CHECKLIST

(Please provide each of the items below & initial next to each item)



The application fee



Seven (7) 22" x 34" or 24" x 36" copies are needed, collated and folded to 9" x 12" paper size; electronic copy is recommended upon submittal date.



Grading plan showing current topography and proposed final grading.



Erosion control plan. In addition to other measures an erosion control seeded mat shall be placed over all graded areas to remain unimproved for more than five (5) calendar days post grading



Tree Removal Plan Exhibit

- Show property, lots, building pad sites, and easements
- Show all existing protected trees color coded to show:
 - trees being removed and exempt due to locations in a building pad, utility easement or Right-of-Way;
 - trees being removed and not exempt; and
 - trees preserved.
- Contains charts showing every tree by lot with
 - Tree ID Number
 - Caliper of tree(s)
 - Tree Species (both the common and Latin name)
 - Health of Tree (ie, healthy, diseased, dead)
 - Location (Building pad, easement, lot, landscape buffer, etc.)
 - List tree to be 'Preserved' or 'Removed'
 - List if mitigation is required. Once exempt trees are counted 20% percent of remaining trees may be removed and are exempt from mitigation
- Summary table
 - Total number of trees and caliper inches on site
 - Total number of trees and caliper inches to be removed
 - Total number of trees and caliper inches that must be mitigated
 - Explanation on how mitigation will be provided.

Example Tree Preservation Plan Table (missing Latin name):

Tree Survey Data for Lot 22, Block A							
Tree Number	DBH	Species	Condition	Multi-Trunk	Location	Remove or Remain	Mitigation Penalty (caliper inches)
303	10.1	Cedar Elm	Healthy		Lot	Remove	10.1
304	8.1	Cedar Elm	Healthy		Lot	Remove	8.1
305	7.8	Cedar Elm	Healthy	Yes	Pad	Remove	0
306	11.3	Cedar Elm	Healthy		Pad	Remove	0
307	10.2	Post Oak	Healthy		Lot	Remove	10.2
308	11.2	Post Oak	Healthy		Lot	Remove	0.0
309	7.5	Post Oak	Healthy		Lot	Remove	7.5
310	15.9	Cedar Elm	Damaged	Yes	Lot	Remove	0.0
467	14.0	Post Oak	Healthy	Yes	Lot	Remove	14.0
484	19.5	Post Oak	Healthy		Lot	Remove	19.5
115.6							69.4
Total Tree Population							Total Tree Mitigation Penalty (caliper inches)

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* See previous Approval



September 8, 2017

Mr. David Hawkins, AICP
Planning Manager
City of Keller, Texas
1100 Bear Creek Pkwy
Keller, TX 76244

Re: Marshall Ridge Phase 3D
Request to Amend Tree Appeal Resolution No. 3769

Mr. Hawkins:

Please accept this letter as our request to amend the following items included as part Tree Appeal Resolution No. 3769 for Marshall Ridge Phase 3D:

- **Resolution No. 3769, Item No. 5:** Eliminate this requirement. Lots 14-18, Block D will be included as part of amended Item No. 6 as stated below.
- **Resolution No. 3769, Item No. 6:** Revise to state, "Sub-Phase 2 (remaining twenty-seven (27) lots) may commence development upon the final acceptance of Sub-Phase 1 by City staff and the effectiveness of the additional erosion control measures has met the requirements of City staff."

The justification to amend Tree Appeal Resolution No. 3769 is outlined below:

1. Since releasing the Sub-Phase 1 lots for sale in July 2017 and receiving final acceptance from City of Keller on August 14, 2017, Meritage Homes has sold six (6) of the Sub-Phase 1 lots.
2. As of 9/8/2017, two (2) (of the six (6) sold homes) have received building permit for construction.
3. The buyer(s) for each new home has noticed the remaining lots to development within Phase 3D (i.e. Sub-Phase 2 lots) and has expressed concerns regarding City Council's mandate to delay the development of Sub-Phase 2 lots until after they occupy their new home.
4. By delaying the development of Sub-Phase 2 lots, this will create additional construction traffic by land development contractors on streets where homes will be occupied by



Setting the standard for energy-efficient homes™



residents of Keller. This will be an additional burden to these residents on top of the homebuilding construction traffic within this community.

5. Meritage has established a monthly meeting with City staff to inspect erosion control measures on residential lots and within public right-of-way.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Meritage Homes of Texas, LLC

A handwritten signature in blue ink, appearing to be "BS" or "B. Samuel".

Bobby Samuel
Vice President of Land Development

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POINT OF BEGINNING

CORNER FROM WHICH A 1/2" CAPPED IRON FOUND STAMPED LONEDAK BEARS S 80°20'49" E 0.35 OF A FOOT

CORNER FROM WHICH A 1/2" CAPPED IRON FOUND STAMPED LONEDAK BEARS S 04°45'32" E 0.37 OF A FOOT

LOT 2, BLOCK A OF MILESTONE CHURCH ADDITION LOTS 1 THRU 3, BLOCK A D215244795, P.R.T.C.T.

J.J. ROBERTS SURVEY ABSTRACT NO. 1305

LOT 25 O.S., D.E. AND U.E.



Alan W. Hickey
2/16/2017

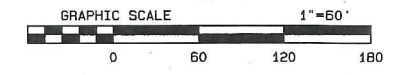
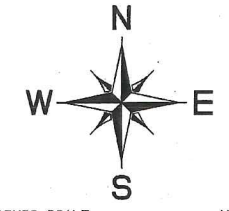
MARSHALL RIDGE, PHASE 1 SOUTH CAB. A. S.L. 12224 P.R.T.C.T.

GUSTAVUS GILBERT SURVEY ABSTRACT NO. 577

MARSHALL RIDGE, PHASE 1 SOUTH CAB. A. S.L. 12224 P.R.T.C.T.

CURVE TABLE						
LINE	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD	TANGENT
C1	35°04'35"	325.00'	198.96'	S08°49'25"W	195.87'	102.71'
C2	6°22'23"	765.00'	85.09'	S03°21'18"W	85.05'	42.59'
C3	8°46'38"	835.00'	127.91'	S02°09'10"W	127.79'	64.08'
C4	1°22'18"	300.00'	7.18'	N10°08'51"W	7.18'	3.59'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S26°21'42"W	14.90'
L2	S06°32'29"W	63.11'
L3	S02°14'08"E	57.25'
L4	S43°57'59"W	20.76'
L5	S00°10'06"W	50.00'
L6	S46°49'21"E	21.99'
L7	N41°58'12"W	59.25'
L8	N30°56'03"W	95.05'
L9	N21°29'10"E	76.36'
L10	N26°21'42"E	104.85'
L11	N39°40'03"E	29.16'
L12	S50°49'57"E	15.43'
L13	N39°40'03"E	12.72'
L14	N50°49'57"W	15.43'
L15	N45°10'06"E	21.21'



ABBREVIATION LEGEND	
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
B.L.	BUILDING LINE
O.S.	OPEN SPACE
CAB. S.L.	CABINET, SLIDE
P.R.T.C.T.	PLAT RECORDS TARRANT COUNTY TEXAS
D.R.T.C.T.	DEED RECORDS TARRANT COUNTY TEXAS
S.R.W.M.E.	SCREENING, RETAINING WALL MAINTENANCE EASEMENT
◆	STREET NAME CHANGE

LOT AREAS		
BLOCK	LOT	AREA (SQ. FT.)
D	1	13379
D	2	13500
D	3	14175
D	4	14175
D	5	14175
D	6	13905
D	7	13500
D	8	13500
D	9	13770
D	10	13567
D	11	18038
D	12	13924
D	13	14300
D	14	15015
D	15	15015
D	16	15706
D	17	18902
D	18	17195
D	25	5897
E	1	16618
E	2	15015
E	3	15015
E	4	15015
E	5	15015
E	6	15015
E	7	15015
E	8	15015
E	9	15015
E	10	15597
E	11	13939
E	12	13500
E	13	13500
E	14	13500
E	15	13500
E	16	13500
E	17	13500
E	18	13500
E	19	13500
E	20	17437
F	11	14974
F	12	15015
F	13	15015
F	14	15015
F	15	15015
F	16	15015
F	17	15015
F	18	15015
F	19	15015
F	20	16862
TOTAL		715305

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MARSHALL RIDGE PHASE 58 AND 50 D213065888 P.R.T.C.T.

SILVER CHASE DRIVE (50' RIGHT-OF-WAY) D213065888 P.R.T.C.T.

MARSHALL RIDGE PHASE 58 AND 50 D213065888 P.R.T.C.T.

MT. GILEAD RANCH CAB. A. S.L. 6321 P.R.T.C.T.

RODNEY M. SMITH AND DEBBIE J. SMITH D210108746, D.R.T.C.T.

RODNEY M. SMITH AND DEBBIE J. SMITH D210315436, D.R.T.C.T. CORRECTED BY D212050084, D.R.T.C.T.

PREPARED BY:
GOODWIN MARSHALL
CIVIL ENGINEERS - PLANNERS - SURVEYORS
2405 Mustang Drive, Grapevine, Texas 76051
Metro (817) 329-4373
TBPE REGISTRATION # F-2944
TBPLS # 10021700
Contact: Jason Weaver

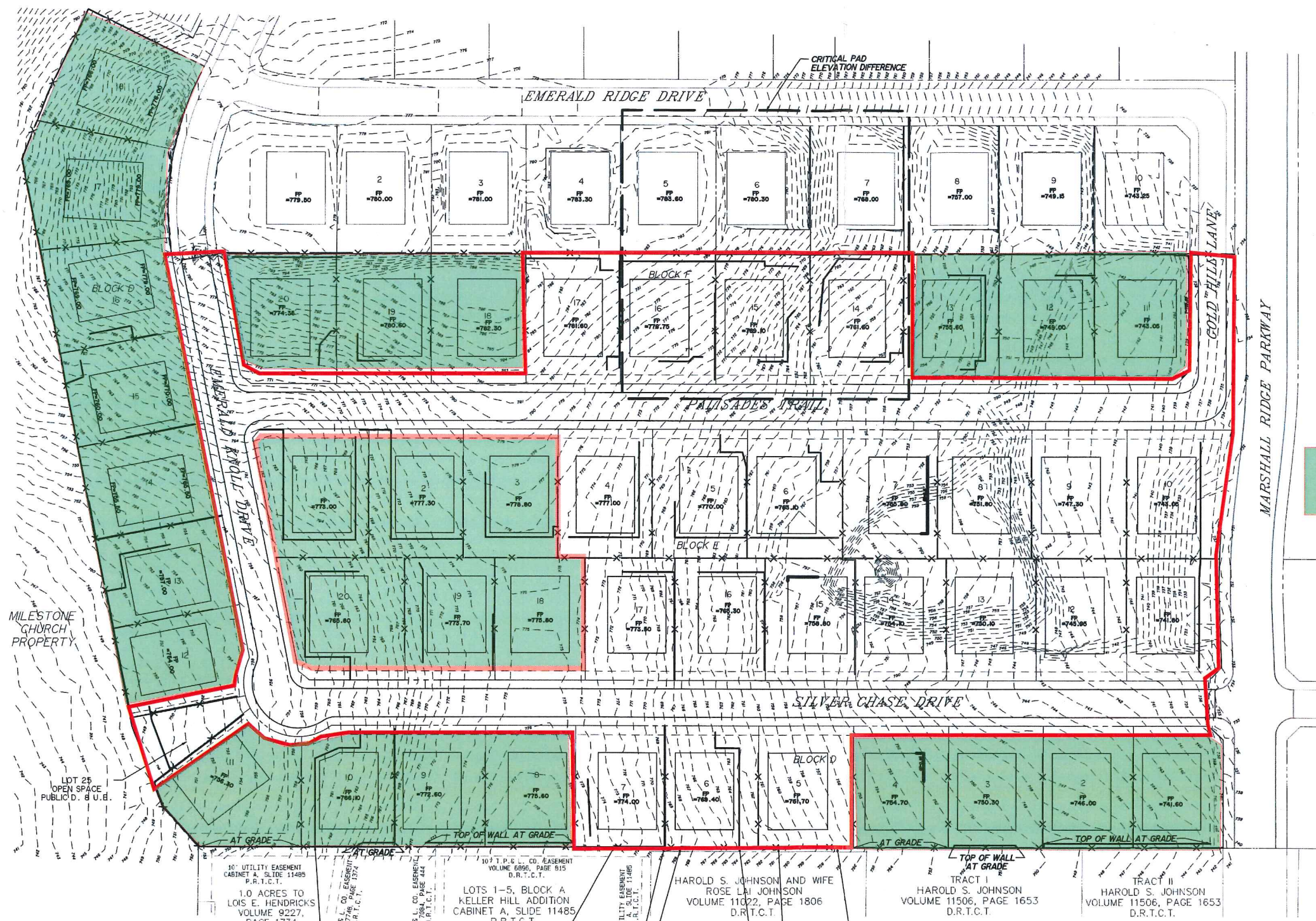


Joel S. Barton
2/16/2017

OWNED/DEVELOPED BY:
MERITAGE HOMES OF TEXAS, LLC
8840 CYPRESS WATERS BLVD. SU. 100
DALLAS, TEXAS 75019
CONTACT: BOBBY SAMUEL
PHONE: (972)580-6329
FAX: (972)739-9171

BROOKES BAKER SURVEYORS
880 HICKEY COURT
GRANBURY, TEXAS 76049
CONTACT: ALAN HICKEY
PHONE: (817)279-0232
FAX: (817)279-9694
TBPLS # 10092800

FINAL PLAT
OF
MARSHALL RIDGE, PHASE 3D
LOTS 1-18, 25, BLOCK D, LOTS 1-20, BLOCK E AND LOTS 11-20, BLOCK F
BEING 19.636 ACRES
SITUATED IN THE
J.J. ROBERTS SURVEY, ABSTRACT NO. 1305
GUSTAVUS GILBERT SURVEY, ABSTRACT NO. 577
CITY OF KELLER, TARRANT COUNTY, TEXAS
48 RESIDENTIAL LOTS & 1 OPEN SPACE LOT
ZONED: PD-SF-12 AND PD-SF-15
NOVEMBER 2015
PAGE 1 OF 2



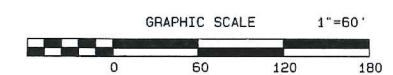
LEGEND

FP = 767.90	85'x65' BUILDING PAD
--- 750 ---	EXISTING CONTOUR
— — — — —	PROPOSED RETAINING WALL
— x — x —	PROPOSED FENCE

AREAS IN GREEN WILL NOT BE DISTURBED WITH THE INITIAL MARSHALL RIDGE PHASE 3D GRADING OPERATIONS.

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NOTES:

PRIVACY FENCE WILL BE CONSTRUCTED ALONG THE COMMON SOUTH PROPERTY LINE AT EXISTING GRADE WHERE NO WALL IS PROPOSED. WHERE A WALL IS PLANNED, THE FENCE WILL BE CONSTRUCTED ABOVE THE RETAINING WALL.

SIDE YARD FENCES WILL BE CONSTRUCTED ON TOP OF RETAINING WALLS THAT ARE IMMEDIATELY ADJACENT TO THE SIDE LOT LINE.

BENCH MARK ELEVATION: 726.38
City of Keller TBM-22 iron rod with washer approximately 50 feet west of the centerline of US Hwy 377 and approximately 2075 feet south of the intersection of US Hwy 377 & M. Gilead Road.

REVIEWED
CITY OF KELLER
Released for Construction
Date: _____
City Engineer: _____

STATE OF TEXAS
JASON S. WEAVER
92057
Professional Engineer
3/4/16

4/8/16 - REVISED PER COMMENTS

**MARSHALL RIDGE
PHASE 3D
CITY OF KELLER, TEXAS**

**ADJACENT BUILDING
HEIGHT DISPLAY**

GOODWIN & MARSHALL, INC. CIVIL ENGINEERS-PLANNERS-SURVEYORS 2425 MARSHALL DRIVE, GARDEN GROVE, TEXAS 76026	Job No.: 10185 Date: NOVEMBER 2015 Scale: AS SHOWN	Design: JSW Draft: RAE Review: _____
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SHEET: 12a of 39



LOTS IN GREEN WILL NOT
BE DISTURBED WITH THE
INITIAL MARSHALL RIDGE
PHASE 3D GRADING

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