



PLANNING DEPARTMENT

County Of Hidalgo

Raul E. Sessin, P.E., CFM
PLANNING ADMINISTRATOR

TO: Judge Ramon Garcia
County Commissioner's Court

FROM: Raul E. Sessin, P.E., Planning Administrator

DATE: May 18, 2011

RE: **Tierra De Santa Cruz Subdivision – Pct. 4**
Final Approval/Revision of Plat as per Section 232.041 Local Government Code

Tierra De Santa Cruz Subdivision is a fifty one (51) lot subdivision located on the West side of Brushline Road approximately $\frac{3}{4}$ mile North of El Cibolo Road.

The proposed Subdivision lies within the Rural area of the County.

The Drainage Report was submitted to, reviewed, and approved by the H.C.D.D. No. 1 Manager on January 21, 2011. The proposed subdivision lies within Zone "X" as per FEMA's FIRM.

The proposed subdivision plat was submitted to, reviewed, and approved by J. Benito Rodriguez, ROW Agent on January 19, 2011. The proposed subdivision plat not will dedicate additional Road Right of Way.

Sanitary Services will be provided by OSSF. Soil Analysis were conducted by Jose Angel Gonzalez and approved by the Environmental Health Department. All septic tank systems have been installed, inspected and can be expected to function satisfactorily.

Water Services will be provided by the North Alamo Water Supply Corporation. There is an existing eight (8) inch waterline on Brushline Road that will serve as the primary source of water for the proposed development.

The Subdivision received Preliminary Approval from the Hidalgo County Commissioner's Court on February 22, 2011. The Subdivision Plat has been reviewed and complies with the Hidalgo County Subdivision Rules, Texas Water Development Board Model Subdivision Rules and the Texas Local Government Code.

The Hidalgo County Advisory Board convened and recommended **Final Approval** on **May 17, 2011**.




PLANNING DEPARTMENT
County Of Hidalgo

Raul E. Sestin, P.E., CFM
PLANNING ADMINISTRATOR

MEMORANDUM

To: Hidalgo County Commissioners' Court

From: Raul E. Sestin, P.E., C.F.M., Planning Administrator 

Date: May 18, 2011

Via: Court Agenda

Re: Revision of Ranchos Los Papalotes No. 1

C: Steve Crain, Atlas and Hall

On Tuesday, May 17th, 2011 the Hidalgo County Advisory Board recommended for final approval of the proposed "Tierra de Santa Cruz Subdivision". However, the Court in addition to reviewing that recommendation which was based on compliance with the County Subdivision Rules is being asked to follow Local Government Code Sec. 232.041 Revision of Plat.

Attached please find the statute that our department is following in order to consider the revision to Ranchos Los Papalotes No. 1. The proposed revision excludes (14) lots from the original plat which are owned by individuals and the remainder of lots (26) shall comprise the new plat being proposed as "Tierra de Santa Cruz" by developer Richard W. Ruppert.

As per statute we have published a total of (3) notices in the McAllen Monitor that advised the general public of the proposed revision and the date for the Commissioners' Court Meeting which shall be on Tuesday, May 24th at 9:30 am at 100 E. Cano, Edinburg, TX. In addition, the law specifies that the County send certified letters to current non-developer lot owners in the subdivision notifying them of the proposed changes. We sent those letters on April 19, 2011 and sent a regular mail follow up letter on May 11, 2011 that spoke of the Advisory Board meeting.

In all, we have had (5) inquiries with at least two lot owners in opposition to the proposed revision. The other two lot owners seemed to be neutral on the development and one other phone call was just an interested party that had general questions about the ossf systems. All parties were given an explanation on the process and told that the meetings to be held were public and open to comments.

If there are any other questions regarding this agenda item please let us know as soon as possible at (956) 318-2840 or Mr. Crain at (956) 682-5501.

Thank You.

*** END OF MEMORANDUM ***

1304 S. 25th St. ☐ Edinburg, Texas 78542 ☐ (956) 318-2840 ☐ Fax. (956) 318-2844

Sec. 232.041. REVISION OF PLAT. (a) A person who has subdivided land that is subject to the subdivision controls of the county in which the land is located may apply in writing to the commissioners court of the county for permission to revise the subdivision plat filed for record with the county clerk.

(b) After the application is filed with the commissioners court, the court shall publish 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 30th day and ends on the seventh day before the date of the meeting. If all or part of the subdivided tract has been sold to nondeveloper 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.

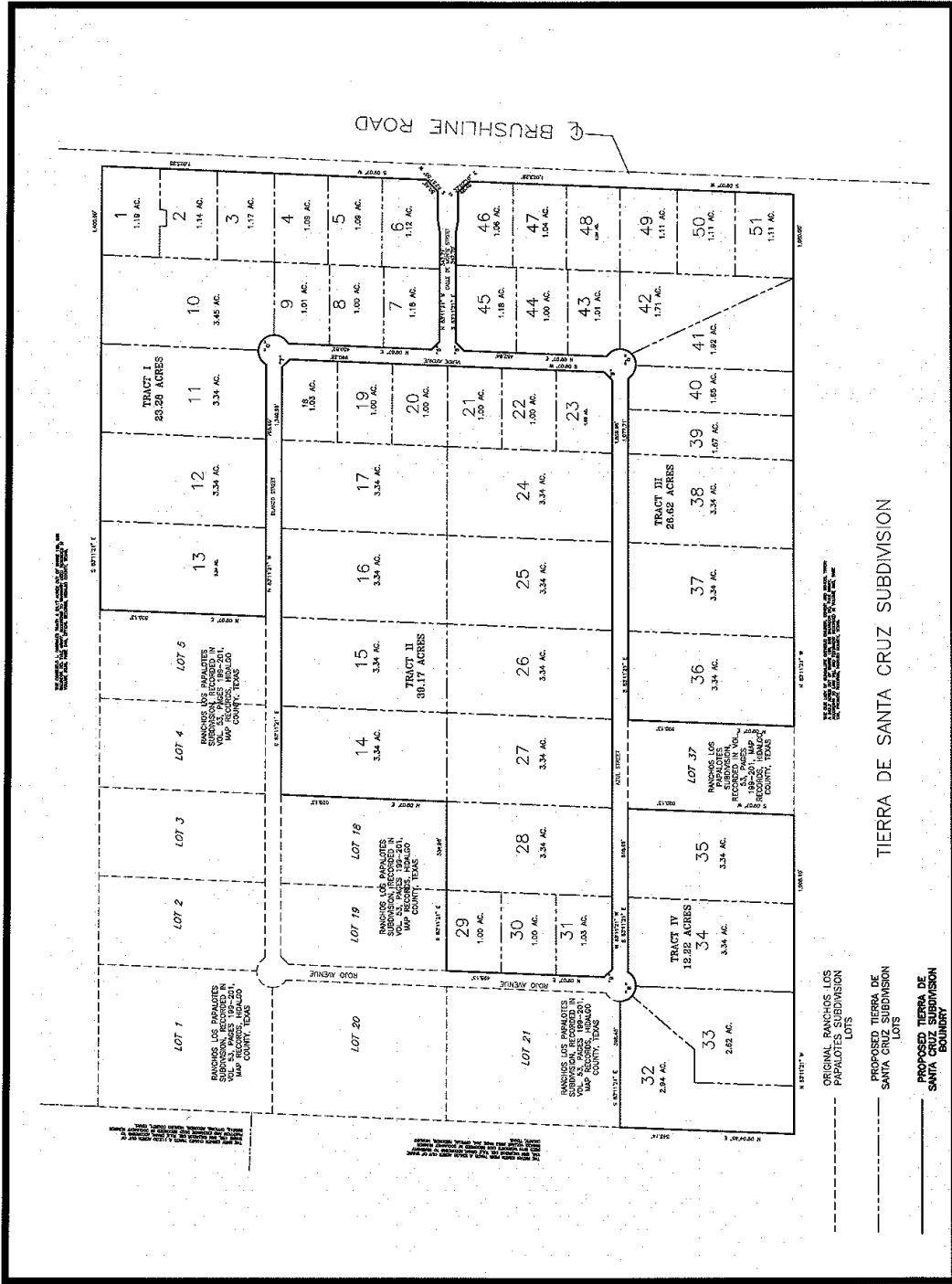
(c) During a regular term of the commissioners court, the court shall adopt an order to permit the revision of the subdivision plat if it is shown to the court that:

(1) the revision will not interfere with the established rights of any owner of a part of the subdivided land; or

(2) each owner whose rights may be interfered with has agreed to the revision.

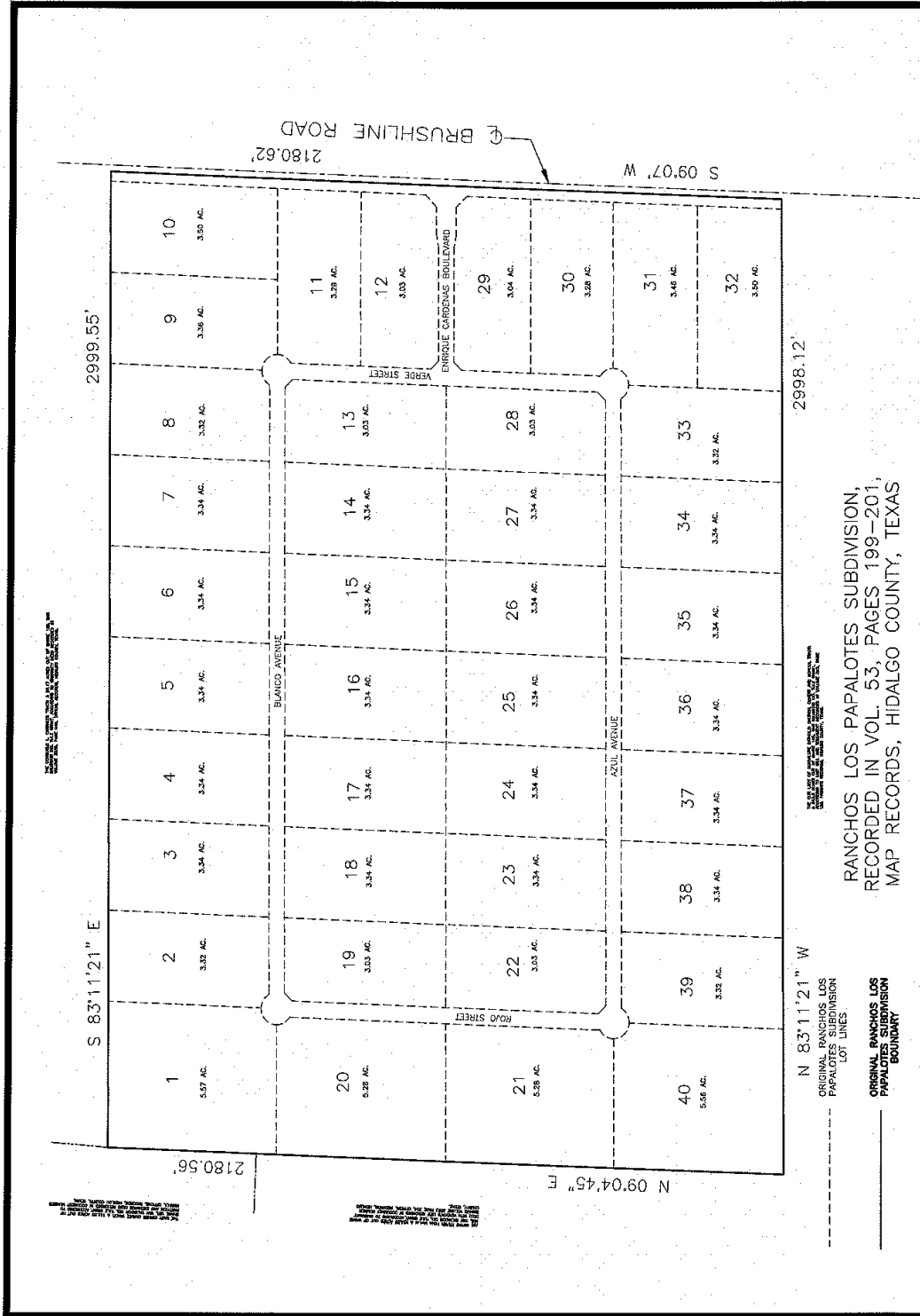
(d) If the commissioners court permits a person to revise a subdivision plat, the person may make the revision by filing for record with the county clerk a revised plat or part of a plat that indicates the changes made to the original plat.

Added by Acts 1995, 74th Leg., ch. 979, Sec. 4, eff. June 16, 1995.



TIERRA DE SANTA CRUZ SUBDIVISION

ORIGINAL RANCHO LOS PAPALOTES SUBDIVISION LOTS
 PROPOSED TIERRA DE SANTA CRUZ SUBDIVISION LOTS
 PROPOSED TIERRA DE SANTA CRUZ SUBDIVISION BOUNDARY



RANCHOS LOS PAPAOTES SUBDIVISION,
 RECORDED IN VOL. 53, PAGES 199-201,
 MAP RECORDS, HIDALGO COUNTY, TEXAS

TJ Arredondo

From: Raul Sesin [Raul.Sesin@co.hidalgo.tx.us]
Sent: Thursday, April 28, 2011 2:34 PM
To: 'Irma'
Cc: 'TJ Arredondo'; Nora D Cavazos; 'Jose Rafael Tovar'
Subject: RE: Proposed Revision of Ranchos Los Papalotes No. 1

Ms. Garza,

In accordance with Texas Local Government Code this is the comment period afforded to the existing land owner's of Ranchos Los Papalotes No. 1 Subdivision for the proposed revision to the plat. Your written objection will be noted and there will be a public meeting for you to voice your concerns held on May 17, 2011 at 5:30 pm at 1304 South 25th Street, Edinburg, Texas 78542. In Addition, another public meeting will be held on May 24, 2011 at 9:30 am at 100 East Cano, Edinburg, Texas, 78542. You will have an opportunity to present your case before the Subdivision Advisory Board and the Commissioner's Court at the aforementioned meeting dates. Please call my office at 956-318-2840 and ask to speak to T.J. Arredondo, Planning Supervisor, and/or Nora Cavazos, Administrative Secretary, if you need directions on where the meetings will be held.

Thank you for communicating your concerns. Please contact me and/or Mr. Arredondo via email or at 956-318-2840 if you would like to meet to discuss further or if we may provide you with additional assistance regarding this item.

Respectfully,



Raul E. Sesin, PE, CFM
Planning Administrator



Please refrain from printing this email unless completely necessary. Go Green!

From: Irma [mailto:irmappgarza@aol.com]
Sent: Thursday, April 28, 2011 1:21 PM
To: raul.sesin@hchd.org
Subject: RE: Proposed Revision of Ranchos Los Papalotes No. 1

I am writing you to follow up on our conversation regarding our property in Los Papalotes Ranch. Our Lot is #37 and from what I understand the idea that is being presented is Lot 6 - 17, 22-36 and 38 Los Papalotes Subdivision will be subdivided named "Tierra de Santa Cruz Subdivision They are 3 acre lots, so they will be sold as 1 acre lots.

I purchased this lot under restrictions, one single family home, no trailers, with certain amount of land for a home w/1700 square feet minimum. Only 1/4 of the lot can be cleared of the trees etc. So how is it that now this is happening. I am stuck in the middle of a NEW subdivision?

What can I do? Is this a done deal? This developer is famous for being cut throat, I don't know why we didn't know about this before.

Please let me know what I can because this is so upsetting to us and we really don't know who to proceed.

Thanks,
Irma Garza
Lot 37