

**NOTICE OF MEETING
CITY OF SOUTH PADRE ISLAND
SHORELINE TASK FORCE**

NOTE: One or more members of the City of South Padre Island City Council may attend this meeting; if so, this statement satisfies the requirements of the OPEN MEETINGS ACT.

NOTICE IS HEREBY GIVEN THAT THE SHORELINE TASK FORCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, WILL HOLD A REGULAR MEETING ON:

**MONDAY, MARCH 20, 2017
4:30 P.M. AT THE MUNICIPAL BUILDING,
CITY COUNCIL CHAMBERS, 2ND FLOOR
4601 PADRE BOULEVARD, SOUTH PADRE ISLAND, TEXAS**

1. Call to Order.
2. Pledge of Allegiance.
3. Public Comments and Announcements: *This is an opportunity for citizens to speak to Task Force relating to agenda or non-agenda items. Speakers are required to address the Task Force at the podium and give their name before addressing their concerns. [Note: State law will not permit the Shoreline Task Force to discuss debate or consider items that are not on the agenda. Citizen Comments may be referred to City Staff or may be placed on the agenda of a future Shoreline Task Force meeting]*
4. Approval of the March 6, 2017 regular meeting minutes.
5. Discussion on Shoreline Department Updates. (Hill)
6. Discussion and possible action on UTRGV Student research projects. (Leal)
7. Discussion and possible action to recommend staff request GLO comment on Beach and Dune permit for Lot 1B, Block 156 Padre Beach Section X. (Hill)
8. Discussion and possible action to recommend City Council grant the Shores beach maintenance permit with GLO comments. (Hill)
9. Discussion and possible action to recommend City Council pass ordinance for Lot 1, Block 1, Padre Island Inn Subdivision, to set the Dune Protection Line also referred to the Historic Building line. (Hill)
10. Adjournment.

DATED THIS THE 17TH DAY OF MARCH 2017




Susan Hill, City Secretary

I, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING OF THE SHORELINE TASK FORCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS IS A TRUE AND CORRECT COPY OF SAID NOTICE AND THAT I POSTED A TRUE AND CORRECT COPY OF SAID NOTICE ON THE BULLETIN BOARD AT CITY HALL/MUNICIPAL BUILDING ON **MARCH 17, 2017** AT/OR BEFORE **4:30 P.M.** AND REMAINED SO POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF AID MEETING.




Susan Hill, City Secretary

THIS FACILITY IS WHEELCHAIR ACCESSIBLE, AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT BUILDING OFFICIAL, JAY MITCHIM; ADA DESIGNATED RESPONSIBLE PARTY AT (956) 761-1025.

SHORELINE TASK FORCE AGENDA REQUEST FORM

MEETING DATE: March 20, 2017

ITEM: 4

TO: Shoreline Task Force

FROM: Brandon Hill, Shoreline Management Director

ITEM DESCRIPTION:

Approval of the March 6, 2017 regular meeting minutes

DISCUSSION:

See attachment

**MINUTES
CITY OF SOUTH PADRE ISLAND
SHORELINE TASK FORCE**

MONDAY, FEBRUARY 13, 2017

I. Call to Order.

The Shoreline Task Force of the City of South Padre Island, Texas held a regular meeting on Monday, March 6, 2017, at the Municipal Complex Building, 2nd Floor, 4601 Padre Boulevard, South Padre Island Texas. Chairman Troy Giles called the meeting to order at 3:00 p.m. A quorum was present: Task Force Member Virginia Guillot, Norma Trevino, Neil Rasmussen, Thor Lassen, and Kerry Schwartz. Member with an unexcused absence was Stormy Wall.

City staff members present were: Assistant City Manager Darla Jones, Shoreline Management Director Brandon Hill, Program Coordinator Manuel Aguilar, and Administrative Assistant Marta Martinez.

II. Pledge of Allegiance.

Chairman Giles led the Pledge of Allegiance.

III. Public Comments and Announcements.

Brand Hill introduced Manuel Aguilar as the new Program Coordinator for the Shoreline Management Department.

IV. Approval of the January 23, 2017 regular meeting minutes.

Task Force Member Norma Trevino made a motion, seconded by Mr. Rasmussen to approve minutes as submitted. Motion passed unanimously.

V. Discussion on Shoreline Department Updates and enforcement. (Hill)

Update and enforcement issues given by Shoreline Management Director Brandon Hill regarding his two trips and an update regarding the Marisol project. No action was taken.

VI. Discussion and possible action on Marriot beach and dune permit application. (Hill)

Task Force Member Thor Lassen made a motion, second by Mr. Schwartz to recommend approval of the beach and dune permit application with staff's recommendations (1-3 see attachment) and 4. To the extent practicable applicant will utilize existing plants in the construction and mitigation areas. Motion passed unanimously.

VII. Discussion and possible action on 5308 Gulf Blvd beach and dune permit with GLO comments. (Hill)

Task Force Member Norma Trevino made a motion, second by Mr. Rasmussen to recommend approval of the permit with GLO comments. Motion passed unanimously.

VIII. Discussion and possible action on 340 Padre Blvd beach and dune permit with GLO comments. (Hill)

Task Force Member Virginia Guillot made a motion, second by Ms. Trevino to recommend approval of the beach and dune permit with GLO comments. Motion passed unanimously.

IX. Discussion and possible action on 2100 Gulf Blvd beach and dune application. (Hill)

Task Force Member Thor Lassen made a motion, second by Mr. Rasmussen to recommend approval of the beach and dune permit application. Motion passed unanimously.

X. Discussion and possible action on 6800 Padre Blvd beach and dune application. (Hill)

Task Force Member Thor Lassen made a motion, second by Mr. Rasmussen to recommend approval of the beach and dune permit application. Motion passed unanimously.

XI. Adjournment.

There being no further business, Task Force Member Troy Giles adjourned the meeting at 4:03 p.m.

Marta Martinez, Secretary

Troy Giles, Chairman

SHORELINE TASK FORCE AGENDA REQUEST FORM

MEETING DATE: March 20, 2017

ITEM: 5

TO: Shoreline Task Force

FROM: Brandon Hill, Shoreline Management Director

ITEM DESCRIPTION:

Discussion on Shoreline Department Updates.

DISCUSSION:

SHORELINE TASK FORCE AGENDA REQUEST FORM

MEETING DATE: March 20, 2017

ITEM: 6

TO: Shoreline Task Force

FROM: Brandon Hill, Shoreline Management Director

ITEM DESCRIPTION:

Discussion and possible action on UTRGV Student research projects. (Leal)

DISCUSSION:

SHORELINE TASK FORCE AGENDA REQUEST FORM

MEETING DATE: March 20, 2017

ITEM: 7

TO: Shoreline Task Force

FROM: Brandon Hill, Shoreline Management Director

ITEM DESCRIPTION:

Discussion and possible action to recommend staff request GLO comment on Beach and Dune permit for Lot 1B, Block 156 Padre Beach Section X.

DISCUSSION:

See attachment.



Beach & Dune Application

City of South Padre Island
4601 Padre Blvd.
South Padre Island, TX 78597
Phone: (956) 761-3044
Fax: (956) 761-3898

Site for Proposed Work

Legal Description: Lot 1B Block 156 Padre Beach, Section x Physical Address: _____

Property Owner Information

Name: Access SPI, LLC
Mailing Address: 7220 Bob Bullock Loop Suite 4A
City: Laredo State: Texas
Zip: 78041 Country: United States
Phone Number: 956-648-8273
Fax Number: _____
E-Mail Address: BFAIRLIE@EBMERIT.COM

I / We, owners of the above-mentioned property, authorize the applicant stated above, to act in my behalf in order to acquire a Beach and Dune permit for the construction proposed below. (owner initials here _____)

Owner(s) Signature(s): [Signature]
Date: 04/13/17

Applicant / Agent for Owner

Name: Brandon Fairlie
Mailing Address: 5119 N McColl Rd.
City: McAllen State: Texas
Zip: 78504 Country: United States
Phone Number: 956-648-8273
Fax Number: _____
E-Mail Address: BFAIRLIE@EBMERIT.COM

Applicant Signature: [Signature]
Date: 04/13/17

Project Description

Describe with as much as detail as possible the construction proposed. If more room is needed, please include an additional page. Include the number of habitable units, amenities, swimming pools, fences, kinds of fences, whether loadings and/or retaining walls will be installed, and locations of proposed landscaping and parking.

2 Story Town Home - 5 Bed / 5 1/2 Bath / 2 car Garage

2,723 SF Total Living 3,5285 SF Total (Garage, Covered Patio and Balcony)

NOTE: * EXISTING RETAINING WALL SET AT HISTORICAL BUILDING LINE*

Total Square Footage of Footprint of Habitable Structure: 1,774 SF

Total Area of Impervious Surface (i.e. retaining walls, walkways, drives, patios, etc.): 460 SF

Percentage Impervious Surface [(Impervious surface / habitable footprint) * 100]: 26,2%

Please Note: the percentage of impervious surface cannot exceed 5% in an eroding area.

Approximate Duration of Construction: 8 Months

Financial Plan for the Removal of All Hard Structures

All properties which are allowed to build retaining walls on their property are allowed to do so with the condition that a financial plan for the removal of the retaining wall is submitted to the Public Works Department of the City of South Padre Island. Removal of the retaining wall at the owner's expense may be required once the retaining wall comes into regular contact with wave action for twenty (20) out of thirty (30) consecutive days. The City accepts the submission of a Retaining Wall Covenant, or other financial guarantee, insuring the removal of the retaining wall if the required conditions are met.

Type of Plan Submitted: _____

Date Submitted: _____

Drainage

Describe the impact that the proposed construction will have on the natural drainage pattern on the site and adjacent lots.

☐ No change in the drainage on site.

☒ The proposed construction will change the grading and the drainage on the subject property. (An explanation will be required detailing where the water will drain.)

Explanation / Other Information: Minimal change due the use of concrete pavers and grade to gulf Blvd.

Existing retaining wall set at Historical Building Line. Shown on site plan

Impacts to Beach / Dune System

Answer each question as completely as possible in narrative form.

1. What damage will this proposed construction have on the dune vegetation located at the project site?

☒ No damage to dune vegetation whatsoever.

☐ The proposed construction will impact _____% of the dune vegetation site. (An explanation of the "impact" will be required.)

☐ The proposed construction will require the removal and relocation of _____% of the dune vegetation on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: _____

2. How will the proposed construction alter the dune size/shape at the project site?

☒ No change to dune size/shape whatsoever.

☐ The proposed construction will change _____% of the size/shape of dunes on site. (Details will be required.)

☐ The proposed construction will require the removal and relocation of _____% of the dunes on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: _____

3. How will the proposed construction change the hydrology of the dunes at the project site?

☒ No change to dune hydrology whatsoever.

☐ The proposed construction will impact dune hydrology on site. (Details will be required.)

Explanation / Other Information: _____

4. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse effects on dunes and dune vegetation.

5. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse impairment to beach access.

Mitigation Plan

Describe the methods which you will use to avoid, minimize, mitigate and/or compensate for any adverse effects on dunes or dune vegetation.

Explanation / Other Information: _____

Financial Plan for Dune Mitigation:

If required by the City Council, a financial guarantee (irrevocable letter of credit or a performance bond, etc.) may be necessary to insure the mitigation of dunes/dune vegetation takes place as proposed and required of the applicant.

Type of Plan Submitted: _____ Date of Submission: _____

Checklist of Additional Required Application Information

An accurate map, plat or site plan showing:

- ☐ 1. Legal description of the property (lot, block, subdivision) and the immediately adjoining property.
- ☐ 2. Location of all existing structures - including the habitable and inhabitable structures, swimming pools, decks, fences, parking areas, landscape areas, etc.
- ☐ 3. Location of the Historical Building Line on the subject property and the extension of the line on the properties immediately adjoining the subject property to the north and to the south.
- ☐ 4. Location and elevation of existing retaining walls - both on the subject property and those properties immediately adjoining the subject property to the north and to the south.
- ☐ 5. Location of proposed structure(s) - If proposing the construction of a retaining wall, please also include the proposed elevation of the retaining wall.
- ☐ 6. Location of proposed driveways, parking areas (showing the # of proposed parking spaces) and landscape areas.
- ☐ 7. Location of all existing and proposed beach access paths and/or dune walkovers.
- ☐ 8. Location and extent of any man-made vegetated mounds, restored dunes, fill activities, or any other pre-existing human modifications on the tract.
- ☐ 9. Topographical survey of the site identifying all elevations, existing contours of the project area (including dunes and scales) and the proposed contours of the final grade.

Other required application information:

- ☐ 1. A grading and layout plan showing proposed contours for the final grade.
- ☐ 2. The floor plan(s) and elevation(s) of the structure proposed to be constructed or expanded.
- ☐ 3. Photographs of the site which clearly show the current location of the vegetation line & existing dunes on the tract within the last 6 months.
- ☐ 4. Copy of the Flood Rate Map showing the location of the subject property. (FEMA.GOV - Map Search)
- ☐ 5. Copy of the Historical Erosion Rate Map as determined by the University of Texas at Austin, Bureau of Economic Geology. (beg.utexas.edu)
- ☐ 6. Application Fee of \$180 for Staff Approved applications and \$300 for City Council Approved applications.

Your application is not complete unless all information requested above is submitted.

Application submissions require only three (3) copies of the complete information plus a digital copy.

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name ACCESS SPI, LLC				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. GULF BOULEVARD				Company NAIC Number:	
City SOUTH PADRE ISLAND		State Texas		ZIP Code 78597	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOT 1B, BLOCK 156, PADRE BEACH SECTION X					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>					
A5. Latitude/Longitude: Lat. <u>N 26-07-24.50</u> Long. <u>W 097-10-01.55</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>1B</u>					
A8. For a building with a crawlspace or enclosure(s): a) Square footage of crawlspace or enclosure(s) _____ sq ft b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____ c) Total net area of flood openings in A8.b _____ sq in d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage: a) Square footage of attached garage _____ sq ft b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____ c) Total net area of flood openings in A9.b _____ sq in d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number TOWN OF SOUTH PADRE ISLAND 480115			B2. County Name CAMERON		B3. State Texas
B4. Map/Panel Number 480115 0001	B5. Suffix D	B6. FIRM Index Date	B7. FIRM Panel Effective/ Revised Date 03/09/1999	B8. Flood Zone(s) X SHADED	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth)
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input checked="" type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

ELEVATION CERTIFICATEOMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (Including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. GULF BOULEVARD			Policy Number:
City SOUTH PADRE ISLAND	State Texas	ZIP Code 78597	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

- C1. Building elevations are based on: ☒ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

- C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete items C2.a–h below according to the building diagram specified in item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: E 1436 Vertical Datum: NAVD 88

Indicate elevation datum used for the elevations in items a) through h) below.

☒ NGVD 1929 ☐ NAVD 1988 ☐ Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

- | | | |
|---|-------------|--|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor) | <u>15.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| b) Top of the next higher floor | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only) | <u>13.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| d) Attached garage (top of slab) | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building
(Describe type of equipment and location in Comments) | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG) | <u>8.8</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG) | <u>12.1</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☐ Check here if attachments.Certifier's Name
LORENZO AMAYALicense Number
4834Title
OWNERCompany Name
AMAYA SURVEYING CO., LLCAddress
805 E. LOS EBANOS BLVDCity
BROWNSVILLEState
TexasZIP Code
78520

Signature

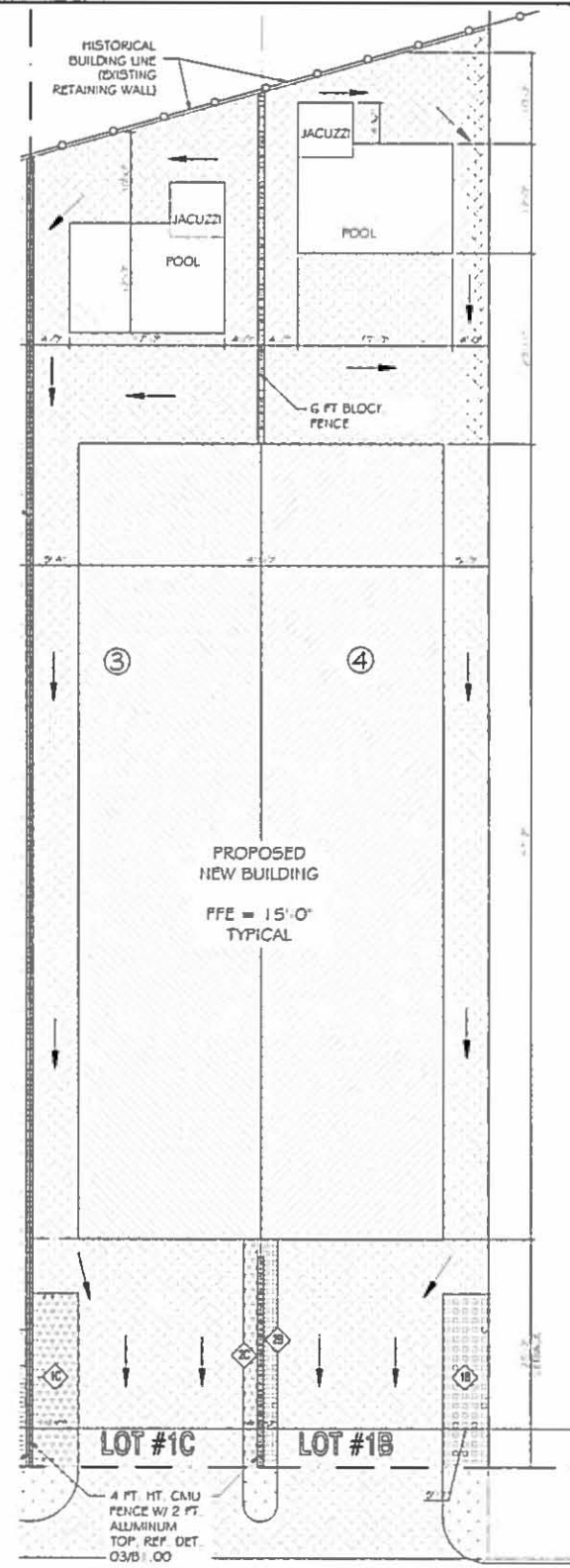
Date
03/08/2017Telephone
(958) 550-0177

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

BENCHMARK E 1436 ELEVATION CONVERTED TO NGVD 29 USING VERTCON ON NGS WEBSITE; ON SITE TBM IS A SPINDLE SET IN ASPHALT APPROXIMATELY 40' SOUTH AND 20' WEST OF SOUTHEAST CORNER OF LOT 1B; ELEVATION = 8.65 (NGVD 29)



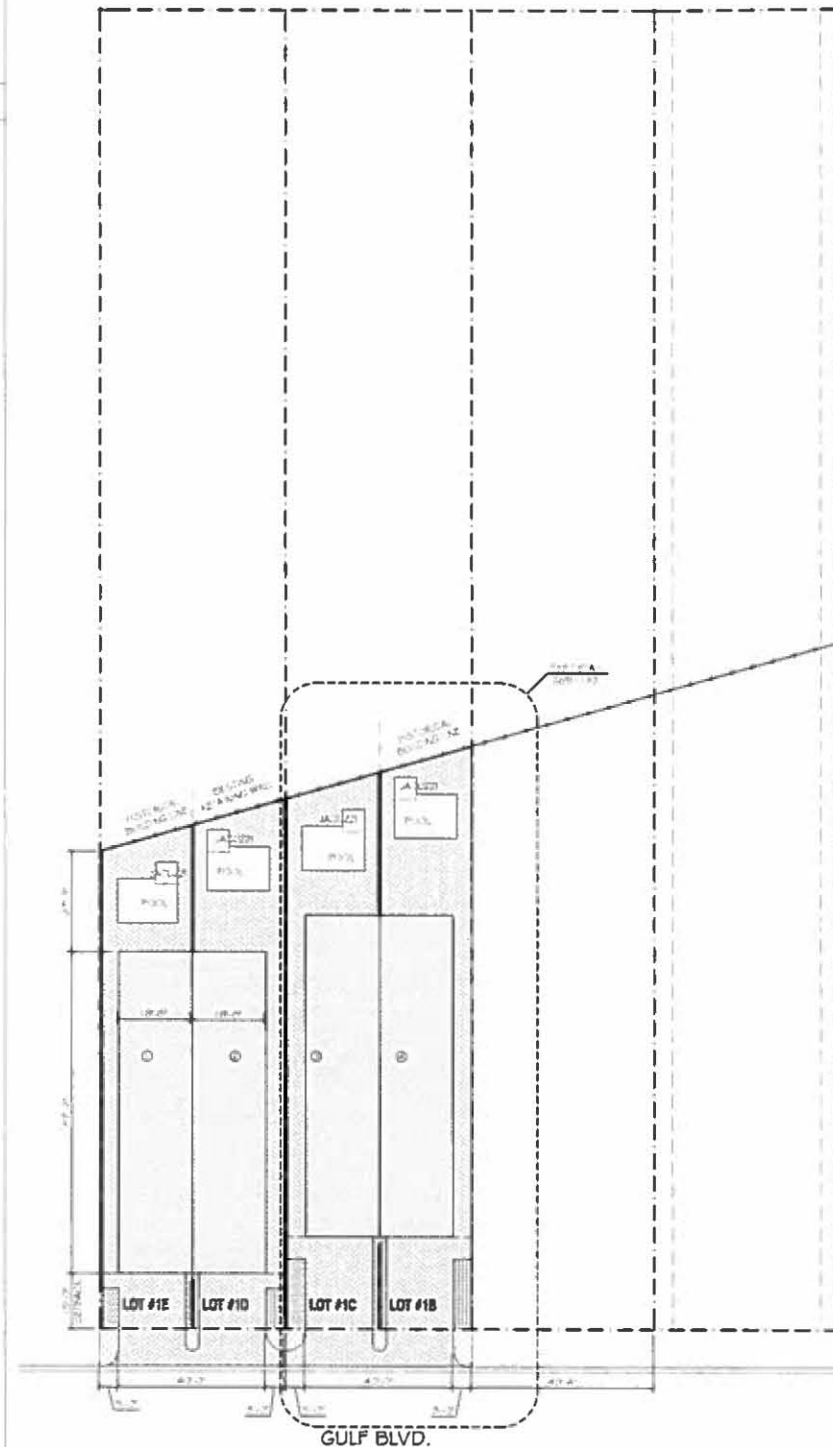


FENCE DTL. SCALE: 1/4" = 1'-0" 03

LANDSCAPE AREA	
LANDSCAPE REQUIRED: 37.5 S.F.	
LOT #1B (PROVIDED)	
95 S.F.	
37.5 S.F.	
132.5 TOTAL S.F.	
LOT #1C (PROVIDED)	
95 S.F.	
37.5 S.F.	
132.5 TOTAL S.F.	

SITE AREA (LOT #1B & 1C)	
PAVERS	3.715

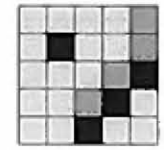
FENCE LEGEND	
8 INCH CONCRETE MASONRY UNIT (CMU), 6 FEET HIGH	
4 FT. HT., 6 IN. CMU FENCE W/ 2 FT. ALUMINUM TOP	
6 FT. HT., ALUMINUM FENCE	



OVERALL SITE PLAN SCALE: 1" = 20'-0" 01

ENLARGED SITE PLAN (LOT #1B & 1C)

SCALE: 1/8" = 1'-0" 02



PRO PLANS

COMMERCIAL, RESIDENTIAL
PLANS, & 3D RENDERINGS

2700 E. FORT WORTH BLVD. SUITE 200
FARMER, TEXAS 76104
TEL: (817) 204-0200
FAX: (817) 204-0299

30% OF THE TOTAL AREA OF THE PROJECT
SHALL BE SET ASIDE FOR THE USE OF THE
PUBLIC AS A PARK OR RECREATION AREA
AND SHALL BE MAINTAINED AS SUCH.

PROJECT NAME
SPICED UP

OWNER NAME
KUNDT

NOTE:
LOT #1B & LOT #1C

SOUTH PACE ISLAND, TEXAS

DATE: 02/17/17 FOR REVIEW
DATE: 02/17/17 FOR REVIEW
DATE: 02/17/17 FOR REVIEW

DATE: 02/17/17
SITE PLAN
LOT #1B AND LOT #1C

DATE: 02/17/17
1716-K
PER
REVIEW

BL00

METES & BOUNDS DESCRIPTION

1.720 ACRE TRACT BEING LOT NUMBER ONE (1), BLOCK NUMBER ONE HUNDRED FIFTY-SIX (156), PADRE BEACH, SECTION X, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN CABINET 1, SLOT 2642 A, MAP RECORDS OF CAMERON COUNTY, TEXAS, SAID 1.720 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AND LOCATED AS FOLLOWS:

BEGINNING AT A 1/2" IRON PIN WITH CAP STAMPED "MAY" FOUND AT THE NORTHWEST CORNER OF LOT 5, BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF GULF BOULEVARD (75 FT. R.O.W.), FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE EAST RIGHT-OF-WAY LINE OF GULF BOULEVARD, NORTH 08°34' WEST, A DISTANCE OF 200.0 FEET TO A PUNCH MARK FOUND IN CONCRETE BASE OF STUCCO WALL AT THE NORTHWEST CORNER OF SAID LOT 1, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE NORTH BOUNDARY LINE OF SAID LOT 1, NORTH 83°36' EAST, AT 130.0 FEET THE ADJUSTED HISTORICAL BUILDING LINE, A TOTAL DISTANCE OF 370.2 FEET TO A POINT ON THE CONTOUR OF ELEVATION +0.7 FEET (N.G.V.D. 1929) SURVEYED FOR MEAN HIGHER HIGH TIDE ON OCTOBER 13, 2016, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE CONTOUR OF ELEVATION +0.7 FEET, SOUTH 08°36'42" EAST, A DISTANCE OF 200.20 FEET (CALC.), TO A POINT ON THE NORTH BOUNDARY LINE OF SAID LOT 5, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE NORTH BOUNDARY LINE OF SAID LOT 5, SOUTH 83°36' WEST, AT 192.1 FEET, PASSING THE HISTORICAL BUILDING LINE, AT A DISTANCE OF 192.4 A PUNCH MARK FOUND ON A CONCRETE BULKHEAD, A TOTAL DISTANCE OF 379.1 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.720 ACRES OF LAND, MORE OR LESS.

SURVEYOR'S CERTIFICATION:

I, EDUARDO H. MEJIA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.

E. H. Mejia
EDUARDO H. MEJIA
REG. PROFESSIONAL LAND SURVEYOR
NO. 3905



STATE OF TEXAS COUNTY OF CAMERON

THE UNDERSIGNED HEREBY CERTIFIES THAT ALL AD VALOREM TAXES OWED TO ALL OF THE TAXING UNITS, REPRESENTED BY THE UNDERSIGNED ARE CURRENTLY PAID IN FULL FOR THE AREA INSIDE THE BOUNDARIES OF LOT 1, BLOCK 156, PADRE BEACH, SECTION X, DEPICTED HEREON.

APPROVED: *Tony Yzaguirre Jr.* DATE 10/17/16
TONY YZAGUIRRE, JR.
ASSESSOR AND COLLECTOR OF TAXES, CAMERON COUNTY, TEXAS.
ASSESSOR AND COLLECTOR OF TAXES, POINT ISABEL INDEPENDENT SCHOOL DISTRICT

LAGUNA MADRE WATER DISTRICT'S CERTIFICATION

THE SUBJECT PROPERTY, AS SHOWN ON THIS PLAT, HAS EXISTING WATER AND SEWER FACILITIES THAT ARE IN COMPLIANCE WITH THE TEXAS WATER CODE SECTION 16.343, AS AMENDED.

Carlos A. Galvan, Jr. DATE 10-17-16
CARLOS A. GALVAN, JR. - GENERAL MANAGER
LAGUNA MADRE WATER DISTRICT

STATE OF TEXAS COUNTY OF CAMERON

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, THIS THE 20 DAY OF OCTOBER 2016.

PLANNING AND ZONING COMMISSION CHAIR PUBLIC WORKS DIRECTOR

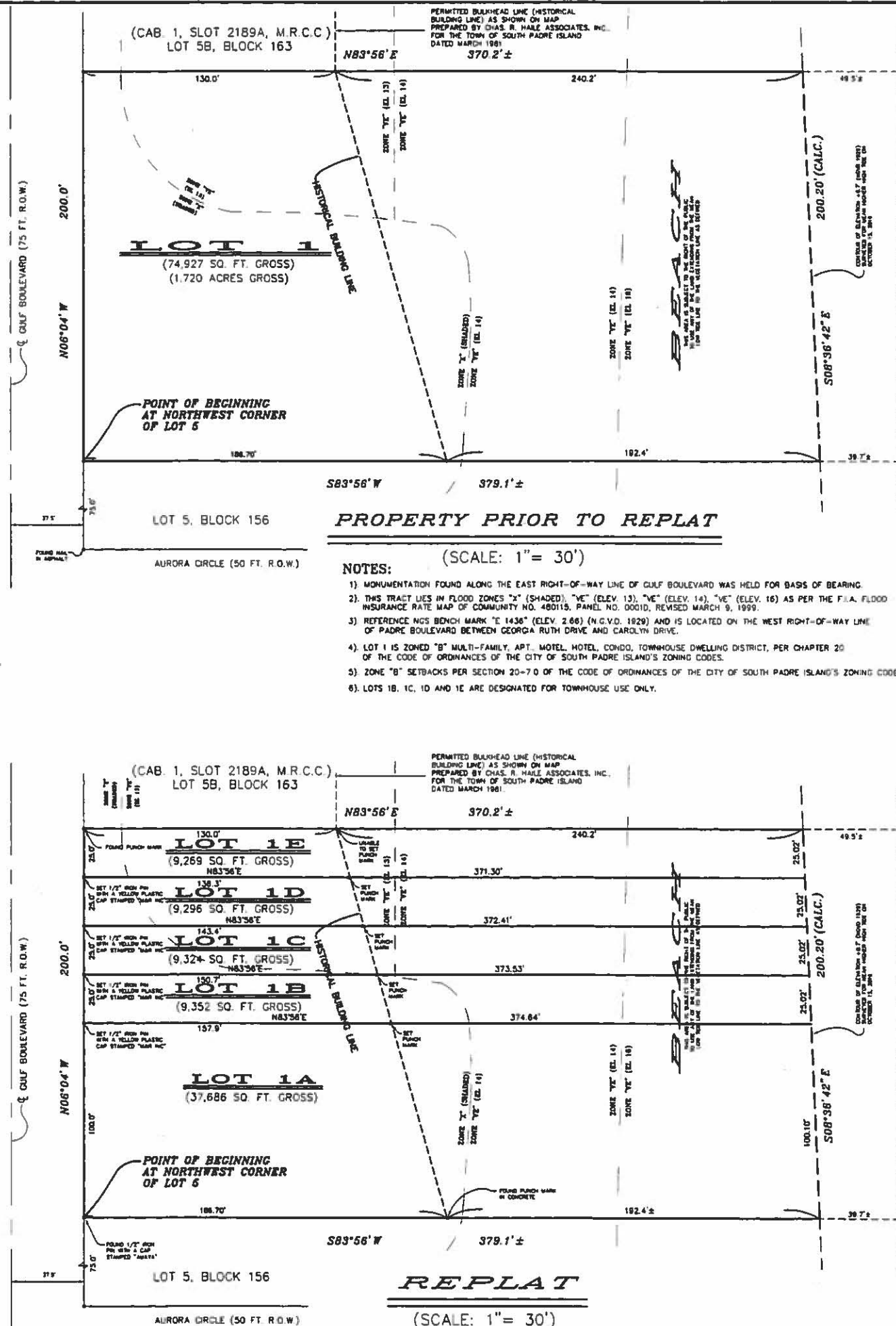
STATE OF TEXAS COUNTY OF CAMERON

I, SYLVIA GARZA-PEREZ, COUNTY CLERK OF CAMERON COUNTY, certify that the plat bearing this certificate was filed and duly recorded on the 29th day of October, 2016 at 11:51 O'clock A M in the Map Records of Cameron County, Texas, Document No. 13528.

By *David L. Lusk* Deputy



3528

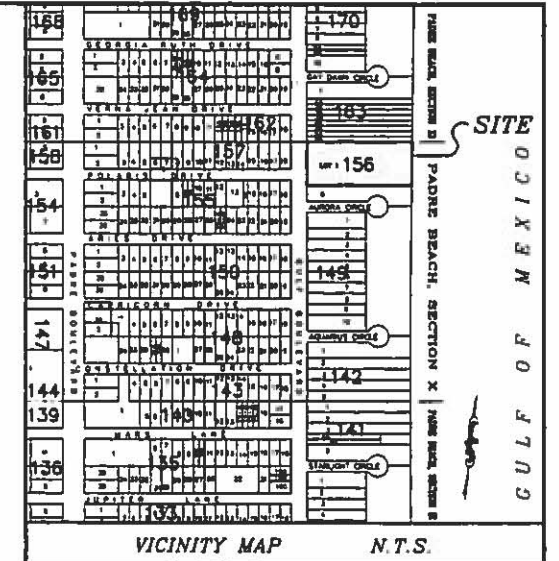


PROPERTY PRIOR TO REPLAT

(SCALE: 1" = 30')

NOTES:

- 1) MONUMENTATION FOUND ALONG THE EAST RIGHT-OF-WAY LINE OF GULF BOULEVARD WAS HELD FOR BASIS OF BEARING.
- 2) THIS TRACT LIES IN FLOOD ZONES "2" (SHADED), "VE" (ELEV. 13), "VE" (ELEV. 14), "VE" (ELEV. 15) AS PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 480115, PANEL NO. 00010, REVISED MARCH 9, 1999.
- 3) REFERENCE NOS BENCH MARK "E 1436" (ELEV. 2.86) (N.G.V.D. 1929) AND IS LOCATED ON THE WEST RIGHT-OF-WAY LINE OF PADRE BOULEVARD BETWEEN GEORGIA RUTH DRIVE AND CAROLYN DRIVE.
- 4) LOT 1 IS ZONED "B" MULTI-FAMILY, APT., MOTEL, HOTEL, CONDO, TOWNHOUSE DWELLING DISTRICT, PER CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND'S ZONING CODES.
- 5) ZONE "B" SETBACKS PER SECTION 20-7.0 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND'S ZONING CODES.
- 6) LOTS 1B, 1C, 1D AND 1E ARE DESIGNATED FOR TOWNHOUSE USE ONLY.



STATE OF TEXAS
COUNTY OF CAMERON
I, THE UNDERSIGNED, BRANDON FARLEY OF 1575 INVESTMENTS, LLC, A MANAGING MEMBER OF "ACCESS SPI, LLC", OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS "LOTS 1A, 1B, 1C, 1D AND 1E, BLOCK 156, PADRE BEACH, SECTION X" WITHIN THE CITY OF SOUTH PADRE ISLAND OR ITS ETC. AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATED TO THE APPROPRIATE PUBLIC OR PRIVATE ENTITY FOR THE BENEFIT OF THE PUBLIC OR PRIVATE LAND OWNERS, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OR CONSIDERATION THEREIN EXPRESSED.

BRANDON FARLEY OF 1575 INVESTMENTS, LLC,
A MANAGING MEMBER OF "ACCESS SPI, LLC"

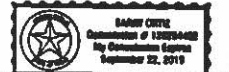
10/18/16
DATE

STATE OF TEXAS COUNTY OF CAMERON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, BRANDON FARLEY OF 1575 INVESTMENTS, LLC, A MANAGING MEMBER OF "ACCESS SPI, LLC", KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 18 DAY OF October, 2016.

Notary Public
NOTARY PUBLIC
COUNTY



STATE OF TEXAS COUNTY OF CAMERON

I, THE UNDERSIGNED, MR. S. DAVID DEANDA, JR., PRESIDENT OF LOVE STAR NATIONAL BANK, DULY AUTHORIZED OFFICER OF THE LOANHOLDER OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING HEREIN AS LOT 1, BLOCK 156, PADRE BEACH, SECTION X, WITHIN THE CITY OF SOUTH PADRE ISLAND, TEXAS, OR ITS ETC. DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY AS PROVIDED FOR UNDER THE PLAT AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

MR. S. DAVID DEANDA, JR., PRESIDENT OF LOVE STAR NATIONAL BANK

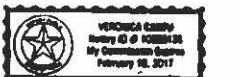
10-18-16
DATE

STATE OF TEXAS COUNTY OF CAMERON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MR. S. DAVID DEANDA, JR., PRESIDENT OF LOVE STAR NATIONAL BANK, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 18th DAY OF October 2016

Notary Public
NOTARY PUBLIC
COUNTY



FINAL PLAT OF "LOTS 1A, 1B, 1C, 1D AND 1E, BLOCK 156, PADRE BEACH, SECTION X"

BEING A RE-PLAT OF
LOT NUMBER ONE (1), BLOCK NUMBER ONE HUNDRED FIFTY-SIX (156),
PADRE BEACH, SECTION X, CITY OF SOUTH PADRE ISLAND, CAMERON
COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN CABINET 1, SLOT
2642 A, MAP RECORDS OF CAMERON COUNTY, TEXAS.

SCALE: 1" = 30'
PREPARED FOR:
ACCESS SPI, LLC
SEPTEMBER 27, 2016

Mejia & Rose, Incorporated

Engineering Surveying
T.B.P.E. Reg. No. F-002670
T.B.P.L.S. Reg. No. 10023900
1643 West Price Road (956) 544-3022
P.O. Box 3761 Brownsville, Texas 78520
Fax (956) 544-3088
email: mandrinc@engmail.com

OWNER:
ACCESS SPI, LLC
7289A BOB BULLOCK LOOP
LAREDO, TEXAS 78041
(956) 544-3022
(956) 544-3088 FAX

G.P. NO. N/A
JOB NO. 10054
S. TROVINO

CAS



Beach & Dune Application

City of South Padre Island
4601 Padre Blvd.
South Padre Island, TX 78597
Phone: (956) 761-3044
Fax: (956) 761-3898

Site for Proposed Work

Legal Description: Lot 1C Block 156 Padre Beach, Section x

Physical Address: _____

Property Owner Information

Name: Access SPI, LLC

Mailing Address: 7220 Bob Bullock Loop Suite 4A

City: Laredo

State: Texas

Zip: 78041

Country: United States

Phone Number: 956-648-8273

Fax Number: _____

E-Mail Address: BFAIRLIE@EBMERIT.COM

Applicant / Agent for Owner

Name: Brandon Fairlie

Mailing Address: 5119 N McColl Rd.

City: McAllen

State: Texas

Zip: 78504

Country: United States

Phone Number: 956-648-8273

Fax Number: _____

E-Mail Address: BFAIRLIE@EBMERIT.COM

I / We, owners of the above-mentioned property, authorize the applicant stated above, to act in my behalf in order to acquire a Beach and Dune permit for the construction proposed below. (owner initials here BF)

Owner(s) Signature(s): [Signature]

Date: 04/13/17

Applicant Signature: [Signature]

Date: 04/13/17

Project Description

Describe with as much as detail as possible, the construction proposed. If more room is needed, please include an additional page. Include the number of habitable units, amenities, swimming pools, fences, kinds of fences, whether footings and/or retaining walls will be installed, and locations of proposed landscaping and parking.

2 Story Town Home - 5 Bed / 5 1/2 Bath / 2 car Garage

2,723 SF Total Living 3,5285 SF Total (Garage, Covered Patio and Balcony)

NOTE: * EXISTING RETAINING WALL SET AT HISTORICAL BUILDING LINE*

Total Square Footage of Footprint of Habitable Structure: 1,774 SF

Total Area of Impervious Surface (i.e. retaining walls, walkways, drives, patios, etc.): 460 SF

Percentage Impervious Surface ((impervious surface / habitable footprint) * 100): 26.2%

Please Note: the percentage of impervious surface cannot exceed 5% in an eroding area.

Approximate Duration of Construction: 8 Months

Financial Plan for the Removal of All Hard Structures

All properties which are allowed to build retaining walls on their property are allowed to do so with the condition that a financial plan for the removal of the retaining wall is submitted to the Public Works Department of the City of South Padre Island. Removal of the retaining wall at the owner's expense may be required (once the retaining wall comes into regular contact with wave action for twenty (20) out of thirty (30) consecutive days. The City accepts the submission of a Retaining Wall Covenant, or other financial guarantee, insuring the removal of the retaining wall if the required conditions are met.

Type of Plan Submitted: _____ Date Submitted: _____

Drainage

Describe the impact that the proposed construction will have on the natural drainage pattern on the site and adjacent lots.

- ☐ No change in the drainage on site.
- ☒ The proposed construction will change the grading and the drainage on the subject property. (An explanation will be required detailing where the water will drain.)

Explanation / Other Information: Minimal change due the use of concrete pavers and grade to gulf Blvd.

Existing retaining wall set at Historical Building Line. Shown on site plan

Impacts to Beach / Dune System

Answer each question as completely as possible in narrative form.

1. What damage will this proposed construction have on the dune vegetation located at the project site?

- ☒ No damage to dune vegetation whatsoever.
- ☐ The proposed construction will impact _____% of the dune vegetation site. (An explanation of the "impact" will be required.)
- ☐ The proposed construction will require the removal and relocation of _____% of the dune vegetation on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: _____

2. How will the proposed construction alter the dune size/shape at the project site?

- ☒ No change to dune size/shape whatsoever.
- ☐ The proposed construction will change _____% of the size/shape of dunes on site. (Details will be required.)
- ☐ The proposed construction will require the removal and relocation of _____% of the dunes on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: _____

3. How will the proposed construction change the hydrology of the dunes at the project site?

- ☒ No change to dune hydrology whatsoever.
- ☐ The proposed construction will impact dune hydrology on site. (Details will be required.)

Explanation / Other Information: _____

4. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse effects on dunes and dune vegetation.

5. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse impairment to beach access.

Mitigation Plan

Describe the methods which you will use to avoid, minimize, mitigate and/or compensate for any adverse effects on dunes or dune vegetation.

Explanation / Other Information: _____

Financial Plan for Dune Mitigation:

If required by the City Council, a financial guarantee (irrevocable letter of credit or a performance bond, etc.) may be necessary to insure the mitigation of dunes/dune vegetation takes place as proposed and required of the applicant.

Type of Plan Submitted: _____ Date of Submission: _____

Checklist of Additional Required Application Information

An accurate map, plat or site plan showing:

- ☐ 1. Legal description of the property (lot, block, subdivision) and the immediately adjoining property.
- ☐ 2. Location of all existing structures - including the habitable and inhabitable structures, swimming pools, decks, fences, parking areas, landscape areas, etc.
- ☐ 3. Location of the Historical Building Line on the subject property and the extension of the line on the properties immediately adjoining the subject property to the north and to the south.
- ☐ 4. Location and elevation of existing retaining walls - both on the subject property and those properties immediately adjoining the subject property to the north and to the south.
- ☐ 5. Location of proposed structure(s) - if proposing the construction of a retaining wall, please also include the proposed elevation of the retaining wall.
- ☐ 6. Location of proposed driveways, parking areas (showing the # of proposed parking spaces) and landscape areas.
- ☐ 7. Location of all existing and proposed beach access paths and/or dune walkovers.
- ☐ 8. Location and extent of any man-made vegetated mounds, restored dunes, fill activities, or any other pre-existing human modifications on the tract.
- ☐ 9. Topographical survey of the site identifying all elevations, existing contours of the project area (including dunes and scales) and the proposed contours of the final grade.

Other required application information:

- ☐ 1. A grading and layout plan showing proposed contours for the final grade.
- ☐ 2. The floor plan(s) and elevation(s) of the structure proposed to be constructed or expanded.
- ☐ 3. Photographs of the site which clearly show the current location of the vegetation line & existing dunes on the tract within the last 6 months.
- ☐ 4. Copy of the Flood Rate Map showing the location of the subject property. (FEMA.GOV - Map Search)
- ☐ 5. Copy of the Historical Erosion Rate Map as determined by the University of Texas at Austin, Bureau of Economic Geology. (beg.utexas.edu)
- ☐ 6. Application Fee of \$180 for Staff Approved applications and \$300 for City Council Approved applications.

Your application is not complete unless all information requested above is submitted.

Application submissions require only three (3) copies of the complete information plus a digital copy.

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name ACCESS SPI, LLC				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. GULF BOULEVARD				Company NAIC Number:	
City SOUTH PADRE ISLAND		State Texas		ZIP Code 78597	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOT 1C, BLOCK 156, PADRE BEACH SECTION X					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>					
A5. Latitude/Longitude: Lat <u>N 26-07-24.74</u> Long. <u>W 097-10-01.59</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>1B</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) _____ sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A8.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage _____ sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A9.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number TOWN OF SOUTH PADRE ISLAND 480115			B2. County Name CAMERON		B3. State Texas
B4. Map/Panel Number 480115 0001	B5. Suffix D	B6. FIRM Index Date	B7. FIRM Panel Effective/ Revised Date 03/08/1999	B8. Flood Zone(s) X SHADED / VE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 13
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input checked="" type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. GULF BOULEVARD			Policy Number:
City SOUTH PADRE ISLAND	State Texas	ZIP Code 78597	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☒ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete items C2.a–h below according to the building diagram specified in item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: E 1436 Vertical Datum: NAVD 88

Indicate elevation datum used for the elevations in items a) through h) below.

☒ NGVD 1929 ☐ NAVD 1988 ☐ Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

- | | | |
|---|-------------|--|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor) | <u>15.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| b) Top of the next higher floor | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only) | <u>13.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| d) Attached garage (top of slab) | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building
(Describe type of equipment and location in Comments) | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG) | <u>9.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG) | <u>12.1</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☐ Check here if attachments.

Certifier's Name
LORENZO AMAYA

License Number
4834

Title
OWNER

Company Name
AMAYA SURVEYING CO., LLC

Address
905 E. LOS EBANOS BLVD

City
BROWNSVILLE

State
Texas

ZIP Code
78520

Signature

Date
03/08/2017

Telephone
(956) 550-0177

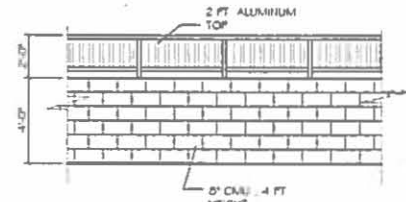
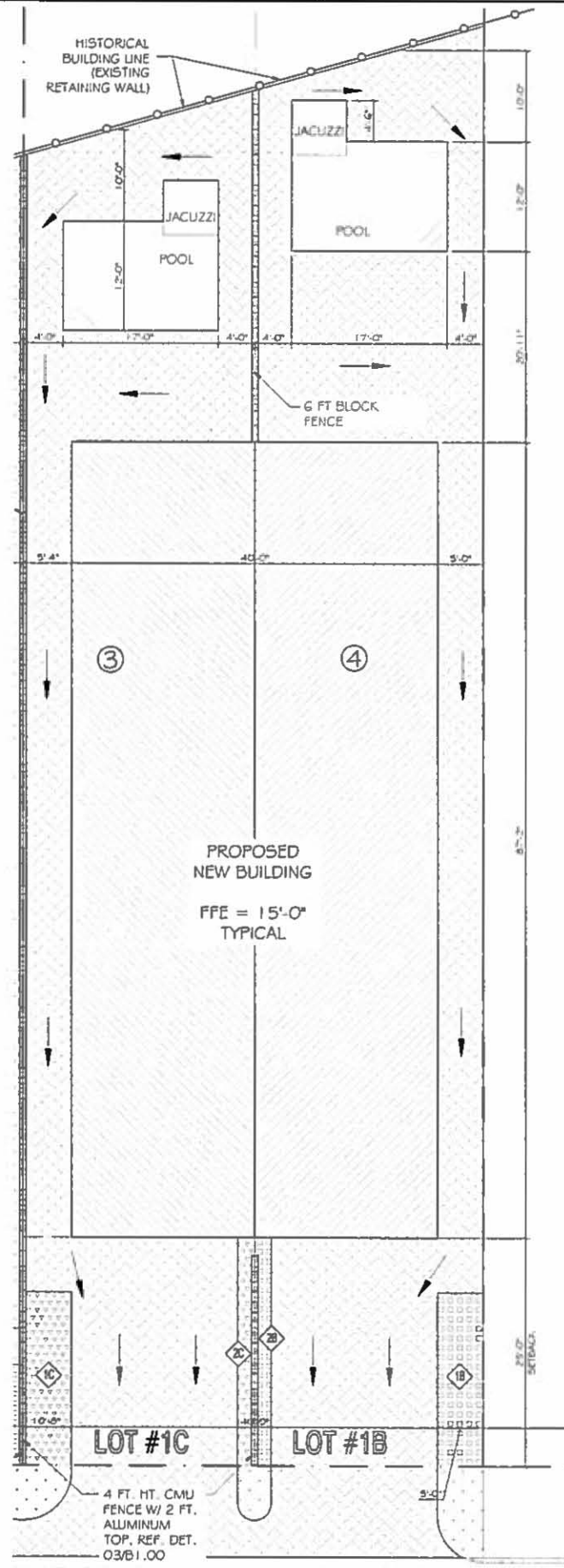


Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

BENCHMARK E 1436 ELEVATION CONVERTED TO NGVD 29 USING VERTCON ON NGS WEBSITE; ON SITE TBM IS A SPINDLE SET IN ASPHALT APPROXIMATELY 65' SOUTH AND 20' WEST OF SOUTHEAST CORNER OF LOT 1C; ELEVATION = 8.65 (NGVD 29)





FENCE DTL. SCALE: 1/4" = 1'-0" 03

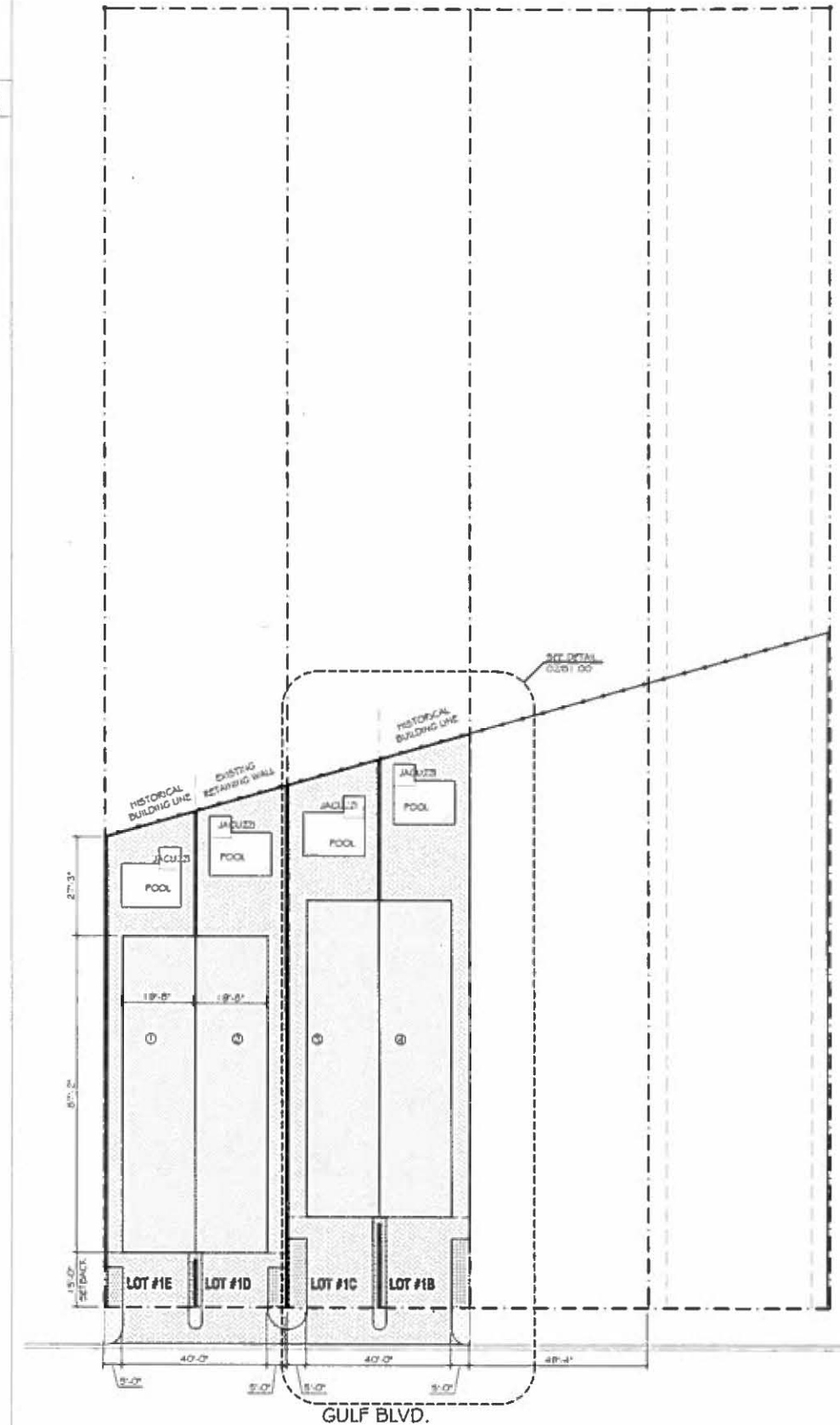
LANDSCAPE AREA	
LANDSCAPE REQUIRED: 37.5 S.F.	
LOT #1B (PROVIDED)	
1B	95 S.F.
2B	37.5 S.F.
132.5 TOTAL S.F.	
LOT #1C (PROVIDED)	
1C	95 S.F.
2C	37.5 S.F.
132.5 TOTAL S.F.	

SITE AREA (LOT 1B & 1C)	
PAVERS	3,715

FENCE LEGEND	
	8 INCH CONCRETE MASONRY UNIT (CMU), 6 FEET HIGH
	4 FT. HT., 8 IN. CMU FENCE W/ 2 FT. ALUMINUM TOP
	6 FT. HT. ALUMINUM FENCE

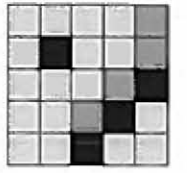
ENLARGED SITE PLAN (LOT # 1B & 1C)

SCALE: 1/8" = 1'-0" 02



OVERALL SITE PLAN

SCALE: 1" = 20'-0" 01



PRO PLANS

COMMERCIAL, RESIDENTIAL
PLANS, & 3D RENDERINGS

2008 W. PERSIMMON UNIT A, SUITE 7
FARM, TEXAS 77467
TEL: (956) 206-0098
FAX: (956) 206-0299

BE AWARE: THIS PLAN IS THE PROPERTY OF
PRO PLANS. IF IT IS NOT THE PROPERTY OF
PRO PLANS, NO WARRANTY IS MADE. APPROVAL
PLANS ARE NOT A SUBSTITUTE FOR PROFESSIONAL
PLANS.

PROJECT NAME
SPI CONDOS

COMPETITION
KNIGHT

ADDRESS
LOT #1B & LOT #1C

SOUTH PADRE ISLAND, TEXAS

REVISIONS
02/01/17 FOR REVIEW
02/03/17 FOR REVIEW
03/01/17 FOR REVIEW

PROJECT
SITE PLAN
LOT #1B AND LOT #1C

PROJECT NO.
1716-K
DRAWN BY
PER
CHECKED BY

31.00

METES & BOUNDS DESCRIPTION

1.720 ACRE TRACT BEING LOT NUMBER ONE (1), BLOCK NUMBER ONE HUNDRED FIFTY-SIX (156), PADRE BEACH, SECTION X, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN CABINET 1, SLOT 2842 A, MAP RECORDS OF CAMERON COUNTY, TEXAS, SAID 1.720 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AND LOCATED AS FOLLOWS:

BEGINNING AT A 1/2" HIGH IRON PIN WITH CAP STAMPED "MAY" FOUND AT THE NORTHWEST CORNER OF LOT 5, BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF GULF BOULEVARD (75 FT. R.O.W.), FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE EAST RIGHT-OF-WAY LINE OF GULF BOULEVARD, NORTH 08°04' WEST, A DISTANCE OF 200.0 FEET TO A PUNCH MARK FOUND IN CONCRETE BASE OF STUCCO WALL AT THE NORTHWEST CORNER OF SAID LOT 1, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE NORTH BOUNDARY LINE OF SAID LOT 1, NORTH 83°56' EAST, AT 130.0 FEET THE ADJUSTED HISTORICAL BUILDING LINE, A TOTAL DISTANCE OF 370.2 FEET TO A POINT ON THE CONTOUR OF ELEVATION +0.7 FEET (N.G.V.D. 1929) SURVEYED FOR MEAN HIGHER HIGH TIDE ON OCTOBER 15, 2016, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE CONTOUR OF ELEVATION +0.7 FEET, SOUTH 08°36'42" EAST, A DISTANCE OF 200.20 FEET (CALC.), TO A POINT ON THE NORTH BOUNDARY LINE OF SAID LOT 5, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE NORTH BOUNDARY LINE OF SAID LOT 5, SOUTH 83°56' WEST, AT 192.1 FEET, PASSING THE HISTORICAL BULKHEAD LINE, AT A DISTANCE OF 192.4 FEET, A PUNCH MARK FOUND ON A CONCRETE BULKHEAD, A TOTAL DISTANCE OF 379.1 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.720 ACRES OF LAND, MORE OR LESS.

SURVEYOR'S CERTIFICATION:

I, EDUARDO H. MEJIA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.

E. H. Mejia
EDUARDO H. MEJIA
REG. PROFESSIONAL LAND SURVEYOR
NO. 3900



STATE OF TEXAS COUNTY OF CAMERON

THE UNDERSIGNED HEREBY CERTIFIES THAT ALL AD VALOREM TAXES OWED TO ALL OF THE TAXING UNITS, REPRESENTED BY THE UNDERSIGNED ARE CURRENTLY PAID IN FULL FOR THE AREA INSIDE THE BOUNDARIES OF "LOT 1, BLOCK 156, PADRE BEACH, SECTION X", DEPICTED HEREON.

APPROVED: *Tony Azaguirre* 10/17/16
TONY AZAGUIRRE, J. DATE
ASSESSOR AND COLLECTOR OF TAXES, CAMERON COUNTY, TEXAS.
ASSESSOR AND COLLECTOR OF TAXES, POINT ISABEL INDEPENDENT SCHOOL DISTRICT



LAGUNA MADRE WATER DISTRICT'S CERTIFICATION

THE SUBJECT PROPERTY, AS SHOWN ON THIS PLAT, HAS EXISTING WATER AND SEWER FACILITIES THAT ARE IN COMPLIANCE WITH THE TEXAS WATER CODE SECTION 16.343, AS AMENDED.

Carlos J. Galvan, Jr. 10-17-16
CARLOS J. GALVAN, JR., GENERAL MANAGER
LAGUNA MADRE WATER DISTRICT

STATE OF TEXAS COUNTY OF CAMERON

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, THIS THE 20 DAY OF OCTOBER 2016.

PLANNING AND ZONING COMMISSION CHAIR PUBLIC WORKS DIRECTOR

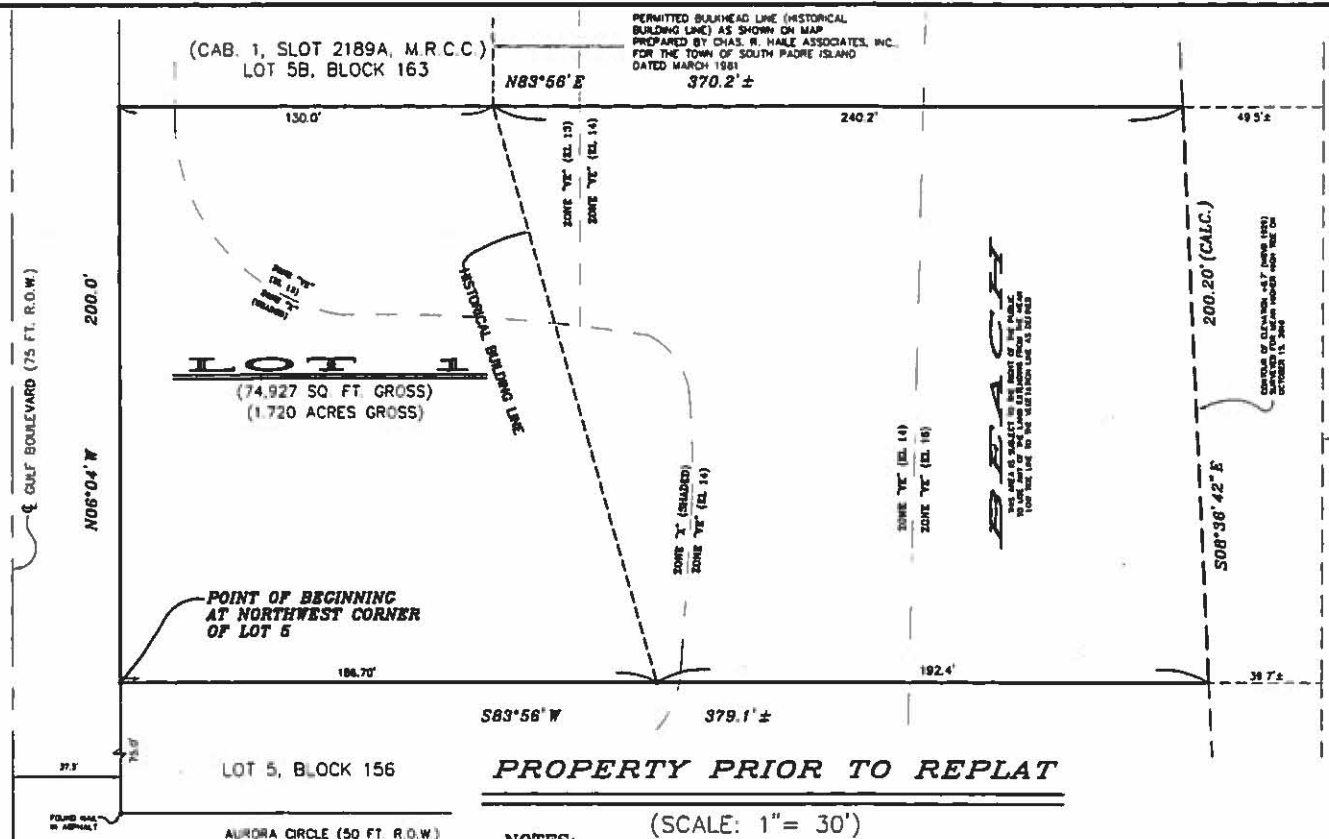
STATE OF TEXAS COUNTY OF CAMERON

I, SYLVIA GARZA-PEREZ, COUNTY CLERK OF CAMERON COUNTY, certify that the plat bearing this certificate was filed and duly recorded on the 29th day of October 2016 at 11:51 O'clock A.M. in the Map Records of Cameron County, Texas, Document No. 13528.

By *David L. Smith* Deputy

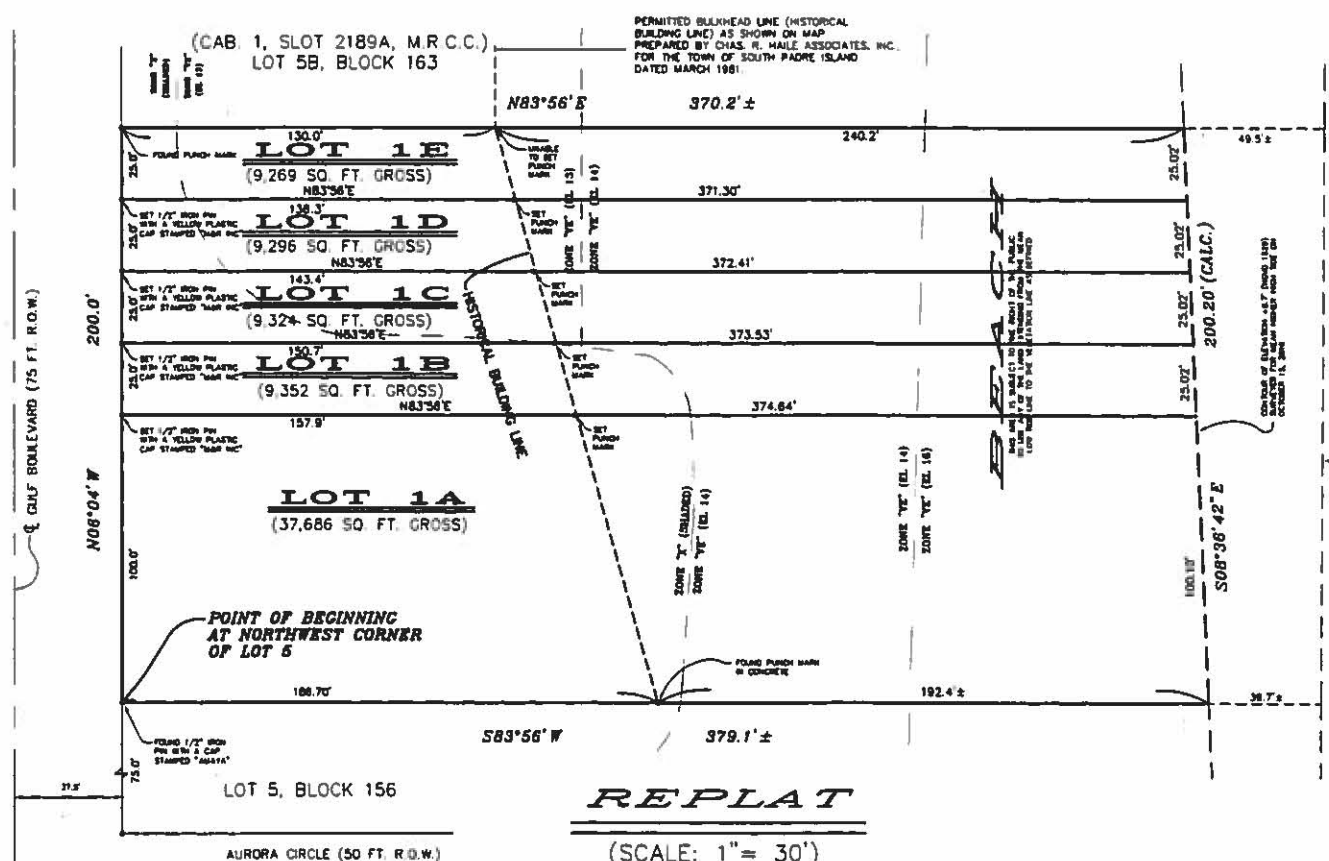


3528



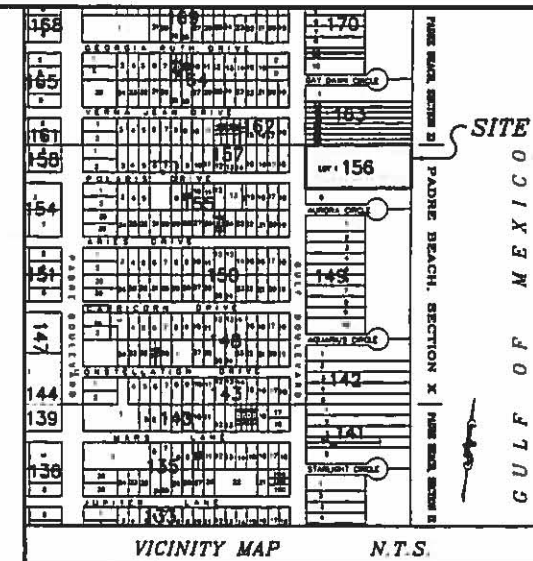
NOTES:

- 1) MONUMENTATION FOUND ALONG THE EAST RIGHT-OF-WAY LINE OF GULF BOULEVARD WAS HELD FOR BASIS OF BEARING.
- 2) THIS TRACT LIES IN FLOOD ZONES "X" (SHADED), "Y" (ELEV. 13), "Y" (ELEV. 14), "Y" (ELEV. 16) AS PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 480115, PANEL NO. 00010, REVISED MARCH 9, 1999.
- 3) REFERENCE NOS. BEACH MARK "E 1436" (ELEV. 2.86) (N.G.V.D. 1929) AND IS LOCATED ON THE WEST RIGHT-OF-WAY LINE OF PADRE BOULEVARD BETWEEN GEORGIA RUTH DRIVE AND CAROLYN DRIVE.
- 4) LOT 1 IS ZONED "B" MULTI-FAMILY, APT., MOTEL, HOTEL, CONDO, TOWNHOUSE DWELLING DISTRICT, PER CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND'S ZONING CODES.
- 5) ZONE "B" SETBACKS PER SECTION 20-7.0 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND'S ZONING CODES.
- 6) LOTS 1B, 1C, 1D AND 1E ARE DESIGNATED FOR TOWNHOUSE USE ONLY.



GULF OF MEXICO

MERIDIAN OF PADRE BEACH SUBDIVISION SECTION X



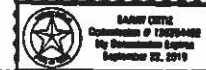
STATE OF TEXAS
COUNTY OF CAMERON
I, THE UNDERSIGNED, BRANDON FAIRLE OF 15F INVESTMENTS, L.L.C., A MANAGING MEMBER OF "ACCESS SPI, L.L.C.", OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS "LOTS 1A, 1B, 1C, 1D AND 1E, BLOCK 156, PADRE BEACH, SECTION X", WITHIN THE CITY OF SOUTH PADRE ISLAND OR ITS ETL, WHOSE NAME IS SUBSCRIBED HEREIN, HEREBY DEDICATED TO THE APPROPRIATE PUBLIC OR PRIVATE ENTITY FOR THE BENEFIT OF THE PUBLIC OR PRIVATE LAND OWNERS, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OR CONSIDERATION THEREIN EXPRESSED.

BRANDON FAIRLE OF 15F INVESTMENTS, L.L.C., A MANAGING MEMBER OF "ACCESS SPI, L.L.C." 10/18/16
DATE

STATE OF TEXAS
COUNTY OF CAMERON
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, BRANDON FAIRLE OF 15F INVESTMENTS, L.L.C., A MANAGING MEMBER OF "ACCESS SPI, L.L.C.", KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 18 DAY OF October 2016.

Notary Public
NOTARY PUBLIC
COUNTY



STATE OF TEXAS
COUNTY OF CAMERON

I, THE UNDERSIGNED, MR. S. DAVID DEANHA, JR., PRESIDENT OF LONE STAR NATIONAL BANK, DULY AUTHORIZED OFFICER OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING HEREIN AS LOT 1, BLOCK 156, PADRE BEACH, SECTION X, WITHIN THE CITY OF SOUTH PADRE ISLAND, TEXAS, OR ITS ETL, DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY AS PROVIDED FOR UNDER THE PLAT AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATING OF THE PROPERTY AS PROVIDED FOR HEREIN.

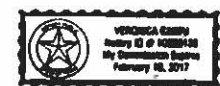
MR. S. DAVID DEANHA, JR., PRESIDENT OF LONE STAR NATIONAL BANK 10-18-16
DATE

STATE OF TEXAS
COUNTY OF CAMERON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MR. S. DAVID DEANHA, JR., PRESIDENT OF LONE STAR NATIONAL BANK, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 18th DAY OF October 2016.

Notary Public
NOTARY PUBLIC
COUNTY



GULF OF MEXICO

MERIDIAN OF PADRE BEACH SUBDIVISION SECTION X

FINAL PLAT
OF
"LOTS 1A, 1B, 1C, 1D AND 1E, BLOCK 156, PADRE BEACH, SECTION X"

BEING A RE-PLAT OF
LOT NUMBER ONE (1), BLOCK NUMBER ONE HUNDRED FIFTY-SIX (156), PADRE BEACH, SECTION X, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN CABINET 1, SLOT 2842 A, MAP RECORDS OF CAMERON COUNTY, TEXAS.

SCALE: 1" = 30'
PREPARED FOR:
ACCESS SPI, LLC
SEPTEMBER 27, 2016

Mejia & Rose, Incorporated

Engineering T.B.P.S. Reg. No. F-002670
Surveying T.B.P.S. Reg. No. 10023900
1643 West Price Road (956) 544-3022
P.O. Box 3761 Brownsville, Texas 78520
Fax (956) 544-3088
email: mandrinc@cngmail.com

OWNER:
ACCESS SPI, LLC
7289A BOB BULLOCK LOOP
LAREDO, TEXAS 78041
(956) 544-3022
(956) 544-3088 FAX

G.P. NO. N/A JOB NO. 19954
8 TWOVIBRANCE

CAS



Beach & Dune Application

City of South Padre Island
4801 Padre Blvd.
South Padre Island, TX 78597
Phone: (956) 761-3044
Fax: (956) 761-3898

Site for Proposed Work

Legal Description: Lot 1D Block 156 Padre Beach, Section x Physical Address: _____

Property Owner Information

Name: Access SPI, LLC
Mailing Address: 7220 Bob Bullock Loop Suite 4A
City: Laredo State: Texas ☒
Zip: 78041 Country: United States ☒
Phone Number: 956-648-8273
Fax Number: _____
E-Mail Address: BFAIRLIE@EBMERIT.COM

Applicant / Agent for Owner

Name: Brandon Fairlie
Mailing Address: 5119 N McColl Rd.
City: McAllen State: Texas ☒
Zip: 78504 Country: United States ☒
Phone Number: 956-648-8273
Fax Number: _____
E-Mail Address: BFAIRLIE@EBMERIT.COM

I / We, owners of the above-mentioned property, authorize the applicant stated above, to act in my behalf in order to acquire a Beach and Dune permit for the construction proposed below. (owner initials here BF)

Owner(s) Signature(s): [Signature]
Date: 04/13/17

Applicant Signature: [Signature]
Date: 04/13/17

Project Description

Describe with as much as detail as possible the construction proposed. If more room is needed, please include an additional page. Include the number of habitable units, amenities, swimming pools, fences, kinds of fences, whether footings and/or retaining walls will be installed, and locations of proposed landscaping and parking.

2 Story Town Home - 5 Bed / 5 1/2 Bath / 2 car Garage

2,723 SF Total Living 3,5285 SF Total (Garage, Covered Patio and Balcony)

NOTE: * EXISTING RETAINING WALL SET AT HISTORICAL BUILDING LINE*

Total Square Footage of Footprint of Habitable Structure: 1,774 SF

Total Area of Impervious Surface (i.e. retaining walls, walkways, drives, patios, etc.): 460 SF

Percentage Impervious Surface [(impervious surface / habitable footprint) * 100]: 26.2%

Please Note: the percentage of impervious surface cannot exceed 5% in an eroding area.

Approximate Duration of Construction: 8 Months

Financial Plan for the Removal of All Hard Structures

All properties which are allowed to build retaining walls on their property are allowed to do so with the condition that a financial plan for the removal of the retaining wall is submitted to the Public Works Department of the City of South Padre Island. Removal of the retaining wall at the owner's expense may be required if/once the retaining wall comes into regular contact with wave action for twenty (20) out of thirty (30) consecutive days. The City accepts the submission of a Retaining Wall Covenant, or other financial guarantee, insuring the removal of the retaining wall if the required conditions are met.

Type of Plan Submitted: _____ Date Submitted: _____

Drainage

Describe the impact that the proposed construction will have on the natural drainage pattern on the site and adjacent lots.

- ☐ No change in the drainage on site.
- ☒ The proposed construction will change the grading and the drainage on the subject property. (An explanation will be required detailing where the water will drain.)

Explanation / Other Information: Minimal change due the use of concrete pavers and grade to gulf Blvd.

Existing retaining wall set at Historical Building Line. Shown on site plan

Impacts to Beach / Dune System

Answer each question as completely as possible in narrative form.

1. What damage will this proposed construction have on the dune vegetation located at the project site?

- ☒ No damage to dune vegetation whatsoever.
- ☐ The proposed construction will impact _____% of the dune vegetation site. (An explanation of the "impact" will be required.)
- ☐ The proposed construction will require the removal and relocation of _____% of the dune vegetation on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: _____

2. How will the proposed construction alter the dune size/shape at the project site?

- ☒ No change to dune size/shape whatsoever.
- ☐ The proposed construction will change _____% of the size/shape of dunes on site. (Details will be required.)
- ☐ The proposed construction will require the removal and relocation of _____% of the dunes on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: _____

3. How will the proposed construction change the hydrology of the dunes at the project site?

- ☒ No change to dune hydrology whatsoever.
- ☐ The proposed construction will impact dune hydrology on site. (Details will be required.)

Explanation / Other Information: _____

4. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse effects on dunes and dune vegetation.

5. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse impairment to beach access.

Mitigation Plan

Describe the methods which you will use to avoid, minimize, mitigate and/or compensate for any adverse effects on dunes or dune vegetation.

Explanation / Other Information: _____

Financial Plan for Dune Mitigation:

If required by the City Council, a financial guarantee (irrevocable letter of credit or a performance bond, etc.) may be necessary to insure the mitigation of dunes/dune vegetation takes place as proposed and required of the applicant.

Type of Plan Submitted: _____ Date of Submission: _____

Checklist of Additional Required Application Information

An accurate map, plat or site plan showing:

- ☐ 1. Legal description of the property (lot, block, subdivision) and the immediately adjoining property.
- ☐ 2. Location of all existing structures - including the habitable and inhabitable structures, swimming pools, decks, fences, parking areas, landscape areas, etc.
- ☐ 3. Location of the Historical Building Line on the subject property and the extension of the line on the properties immediately adjoining the subject property to the north and to the south.
- ☐ 4. Location and elevation of existing retaining walls - both on the subject property and those properties immediately adjoining the subject property to the north and to the south.
- ☐ 5. Location of proposed structure(s) - if proposing the construction of a retaining wall, please also include the proposed elevation of the retaining wall.
- ☐ 6. Location of proposed driveways, parking areas (showing the # of proposed parking spaces) and landscape areas.
- ☐ 7. Location of all existing and proposed beach access paths and/or dune walkovers.
- ☐ 8. Location and extent of any man-made vegetated mounds, restored dunes, fill activities, or any other pre-existing human modifications on the tract.
- ☐ 9. Topographical survey of the site identifying all elevations, existing contours of the project area (including dunes and scales) and the proposed contours of the final grade.

Other required application information:

- ☐ 1. A grading and layout plan showing proposed contours for the final grade.
- ☐ 2. The floor plan(s) and elevation(s) of the structure proposed to be constructed or expanded.
- ☐ 3. Photographs of the site which clearly show the current location of the vegetation line & existing dunes on the tract within the last 6 months.
- ☐ 4. Copy of the Flood Rate Map showing the location of the subject property. (FEMA.GOV - Map Search)
- ☐ 5. Copy of the Historical Erosion Rate Map as determined by the University of Texas at Austin, Bureau of Economic Geology. (beg.utexas.edu)
- ☐ 6. Application Fee of \$180 for Staff Approved applications and \$300 for City Council Approved applications.

Your application is not complete unless all information requested above is submitted.

Application submissions require only three (3) copies of the complete information plus a digital copy.

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name ACCESS SPI, LLC				Policy Number:	
A2. Building Street Address (Including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. GULF BOULEVARD				Company NAIC Number:	
City SOUTH PADRE ISLAND		State Texas		ZIP Code 78597	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOT 1D, BLOCK 156, PADRE BEACH SECTION X					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>					
A5. Latitude/Longitude: Lat <u>N 26-07-24.98</u> Long <u>W 097-10-01.62</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>1B</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) _____ sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A8.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage _____ sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A9.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number TOWN OF SOUTH PADRE ISLAND 480115			B2. County Name CAMERON		B3. State Texas
B4. Map/Panel Number '480115 0001	B5. Suffix D	B6. FIRM Index Date	B7. FIRM Panel Effective/ Revised Date 03/09/1999	B8. Flood Zone(s) X SHADED / VE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 13
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input checked="" type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. GULF BOULEVARD			Policy Number:
City SOUTH PADRE ISLAND	State Texas	ZIP Code 78597	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

- C1. Building elevations are based on: ☒ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

- C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO.
Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: E 1436 Vertical Datum: NAVD 88

Indicate elevation datum used for the elevations in items a) through h) below.

☒ NGVD 1929 ☐ NAVD 1988 ☐ Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.



Check the measurement used.

- | | | |
|---|-------------|--|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor) | <u>15.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| b) Top of the next higher floor | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only) | <u>13.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| d) Attached garage (top of slab) | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building
(Describe type of equipment and location in Comments) | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG) | <u>9.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG) | <u>12.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

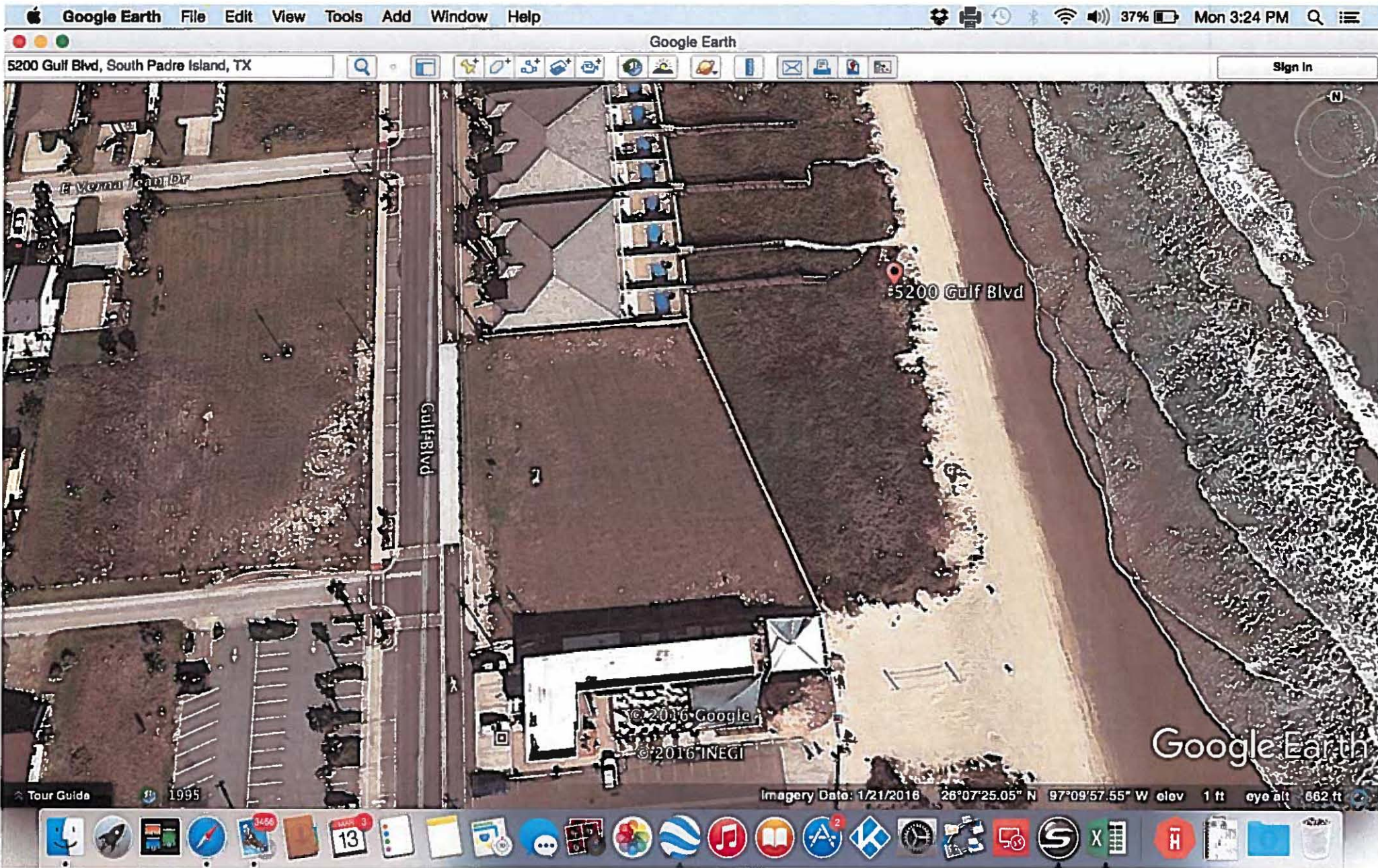
Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☐ Check here if attachments.

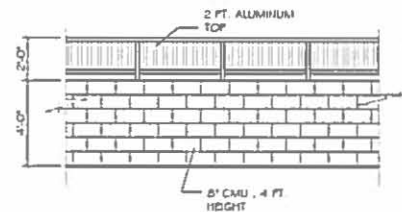
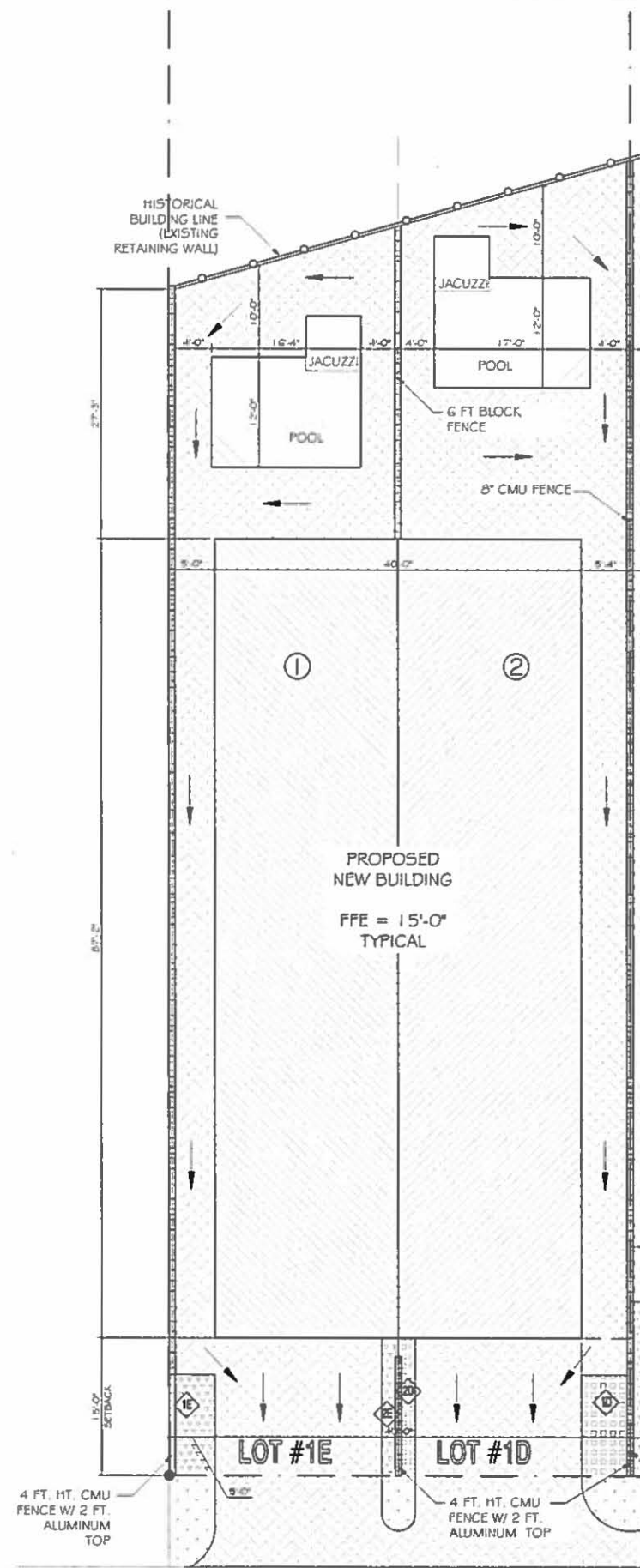
Certifier's Name LORENZO AMAYA		License Number 4834	
Title OWNER			
Company Name AMAYA SURVEYING CO., LLC			
Address 905 E. LOS EBANOS BLVD			
City BROWNSVILLE	State Texas	ZIP Code 78520	
Signature 		Date 03/08/2017	Telephone (956) 550-0177

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

BENCHMARK E 1436 ELEVATION CONVERTED TO NGVD 29 USING VERTCON ON NGS WEBSITE; ON SITE TBM IS A SPINDLE SET IN ASPHALT APPROXIMATELY 90' SOUTH AND 20' WEST OF SOUTHEAST CORNER OF LOT 1D; ELEVATION = 8.65 (NGVD 29)

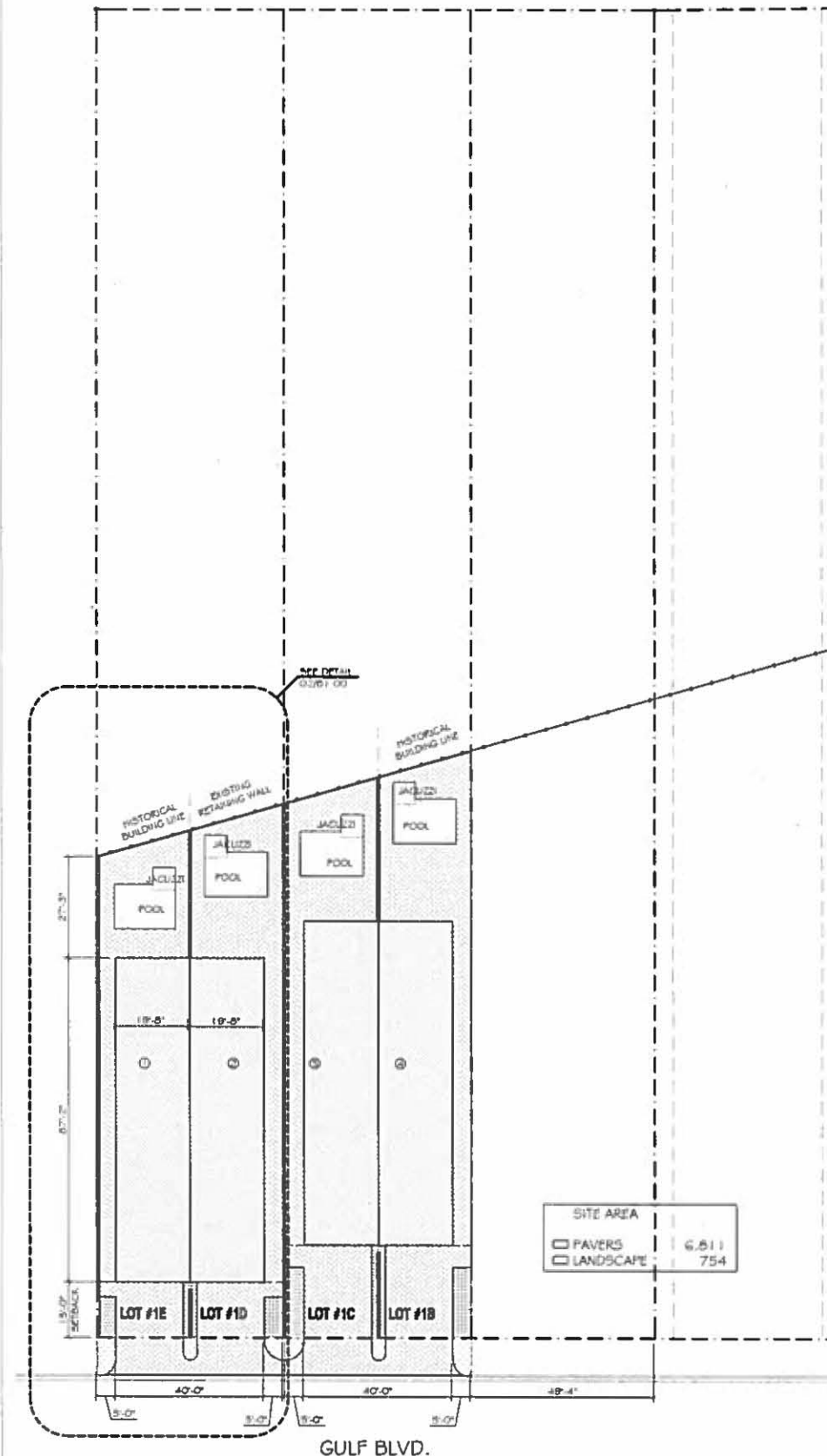




LANDSCAPE AREA	
LANDSCAPE REQUIRED: 37.5 S.F.	
LOT #1D (PROVIDED)	
⑩	55 S.F.
⑪	22.5 S.F.
	77.5 TOTAL S.F.
LOT #1E (PROVIDED)	
⑫	55 S.F.
⑬	22.5 S.F.
	77.5 TOTAL S.F.

SITE AREA	
PAVERS	6,811

FENCE LEGEND	
	8 INCH CONCRETE MASONRY UNIT (CMU), 6 FEET HIGH
	4 FT. HT., 8 IN. CMU FENCE W/ 2 FT. ALUMINUM TOP
	6 FT. HT. ALUMINUM FENCE



SITE AREA	
PAVERS	6,811
LANDSCAPE	754

ENLARGED SITE PLAN (LOT # 1E & 1D)

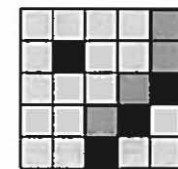
SCALE: 1/8" = 1'-0"

02

OVERALL SITE PLAN

SCALE: 1" = 20'-0"

01



PRO PLANS

COMMERCIAL, RESIDENTIAL
PLANS, & 3D RENDERINGS

2005 W. FERRIS, UNIT 4, SUITE 7
FARMER, TEXAS 78677
TEL: (956) 209-1099
FAX: (956) 209-1099

DESIGNER: PRO PLANS, 2005 W. FERRIS, UNIT 4, SUITE 7, FARMER, TEXAS 78677
ARCHITECT: PRO PLANS, 2005 W. FERRIS, UNIT 4, SUITE 7, FARMER, TEXAS 78677
ENGINEER: PRO PLANS, 2005 W. FERRIS, UNIT 4, SUITE 7, FARMER, TEXAS 78677

PROJECT NAME
SPI CONDOS
OWNER NAME
NAME

SOUTH PADRE ISLAND, TEXAS

REVISION	DATE	DESCRIPTION
000001	FOR REVIEW	
000002	FOR REVIEW	
000003	FOR REVIEW	
000004	FOR REVIEW	
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SITE PLAN-1

1716
RER
REVISION

BI.00

METES & BOUNDS DESCRIPTION

1.720 ACRE TRACT BEING LOT NUMBER ONE (1), BLOCK NUMBER ONE HUNDRED FIFTY-SIX (156), PADRE BEACH, SECTION X, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN CABINET 1, SLOT 2642 A, MAP RECORDS OF CAMERON COUNTY, TEXAS, SAID 1.720 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AND LOCATED AS FOLLOWS:

BEING AND AT A 1/2" IRON PIN WITH CAP STAMPED "MAY 14" FOUND AT THE NORTHWEST CORNER OF LOT 1, BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF GULF BOULEVARD (75 FT. R.O.W.), FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE EAST RIGHT-OF-WAY LINE OF GULF BOULEVARD, NORTH 88°04' WEST, A DISTANCE OF 200.0 FEET TO A PUNCH MARK FOUND IN CONCRETE BASE OF STUCCO WALL AT THE NORTHWEST CORNER OF SAID LOT 1, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE NORTH BOUNDARY LINE OF SAID LOT 1, NORTH 83°36' EAST, AT 132.0 FEET THE ADJUSTED HISTORICAL BUILDING LINE, A TOTAL DISTANCE OF 370.2 FEET TO A POINT ON THE CONTOUR OF ELEVATION +0.7 FEET (N.G.V.D. 1929) SURVEYED FOR MEAN HIGHER HIGH TIDE ON OCTOBER 15, 2016, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE CONTOUR OF ELEVATION +0.7 FEET, SOUTH 08°36'42" EAST, A DISTANCE OF 200.20 FEET (CALC.), TO A POINT ON THE NORTH BOUNDARY LINE OF SAID LOT 1, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE NORTH BOUNDARY LINE OF SAID LOT 1, SOUTH 83°36' WEST, AT 182.1 FEET, PASSING THE HISTORICAL BULKHEAD LINE, AT A DISTANCE OF 182.4 FEET, A PUNCH MARK FOUND ON A CONCRETE BULKHEAD, A TOTAL DISTANCE OF 379.1 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.720 ACRES OF LAND, MORE OR LESS.

SURVEYOR'S CERTIFICATION:

I, EDUARDO M. MEJIA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.

E. H. Mejia
EDUARDO M. MEJIA
REG. PROFESSIONAL LAND SURVEYOR
NO. 3900



STATE OF TEXAS COUNTY OF CAMERON

THE UNDERSIGNED HEREBY CERTIFIES THAT ALL AD VALOREM TAXES OWED TO ALL OF THE TARIFF UNITS, REPRESENTED BY THE UNDERSIGNED ARE CURRENTLY PAID IN FULL FOR THE AREA INSIDE THE BOUNDARIES OF "LOT 1, BLOCK 156, PADRE BEACH, SECTION X", DEPICTED HEREON.

APPROVED: *Tony Yzaguirre* DATE 10/17/16
TONY YZAGUIRRE, J.
ASSESSOR AND COLLECTOR OF TAXES, CAMERON COUNTY, TEXAS
ASSESSOR AND COLLECTOR OF TAXES, POINT ISABEL INDEPENDENT SCHOOL DISTRICT.

LAGUNA MADRE WATER DISTRICT'S CERTIFICATION

THE SUBJECT PROPERTY, AS SHOWN ON THIS PLAT, HAS EXISTING WATER AND SEWER FACILITIES THAT ARE IN COMPLIANCE WITH THE TEXAS WATER CODE SECTION 18.343, AS AMENDED.

Carlos J. Calvan DATE 10-17-16
CARLOS J. CALVAN, JR. - GENERAL MANAGER
LAGUNA MADRE WATER DISTRICT

STATE OF TEXAS COUNTY OF CAMERON

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, THIS THE 20 DAY OF OCTOBER 2016.

PLANNING AND ZONING COMMISSION CHAIR PUBLIC WORKS DIRECTOR

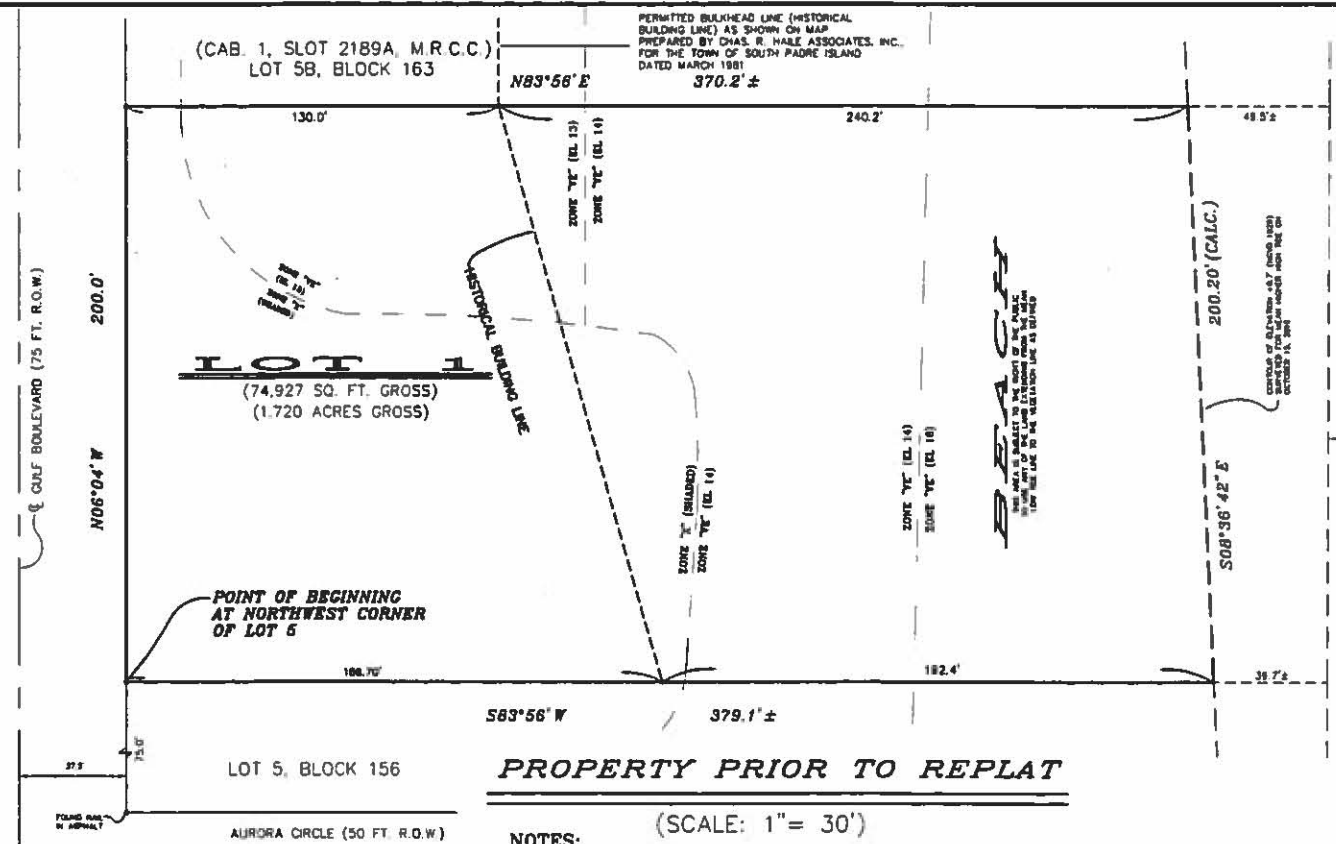
STATE OF TEXAS COUNTY OF CAMERON

I, SYLVIA GARZA-PEREZ, COUNTY CLERK OF CAMERON COUNTY, certify that the plat bearing this certificate was filed and duly recorded on the 29th day of October 2016 at 11:51 O'clock, A.M. in the Map Records of Cameron County, Texas, Document No. 13528.

By: *Daniel Laich* Deputy

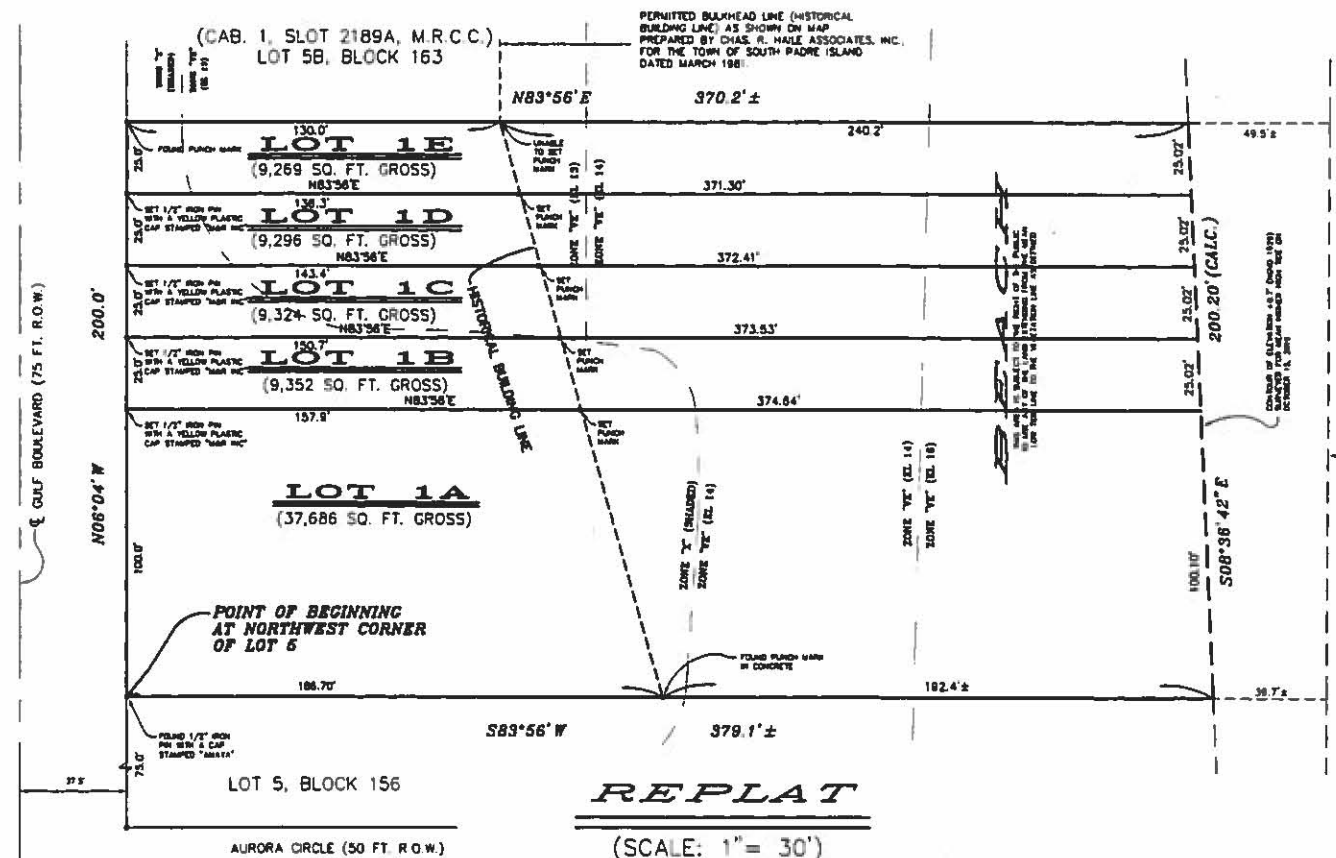


3528



NOTES:

1. MONUMENTATION FOUND ALONG THE EAST RIGHT-OF-WAY LINE OF GULF BOULEVARD WAS HELD FOR BASIS OF BEARING.
2. THIS TRACT LIES IN FLOOD ZONES "X" (SHADED), "VE" (ELEV. 13), "VE" (ELEV. 14), "VE" (ELEV. 16) AS PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 480115, PANEL NO. 00010, REVISED MARCH 9, 1999.
3. REFERENCE NOS. BENCH MARK "E 1436" (ELEV. 2.56) (N.G.V.D. 1929) AND IS LOCATED ON THE WEST RIGHT-OF-WAY LINE OF PADRE BOULEVARD BETWEEN GEORGINA RUTH DRIVE AND CAROLYN DRIVE.
4. LOT 1 IS ZONED "B" MULTI-FAMILY, APT., MOTEL, HOTEL, CONDO, TOWNHOUSE DWELLING DISTRICT, PER CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND'S ZONING CODES.
5. ZONE "B" SETBACKS PER SECTION 20-7.0 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND'S ZONING CODES.
6. LOTS 1B, 1C, 1D AND 1E ARE DESIGNATED FOR TOWNHOUSE USE ONLY.



GULF OF MEXICO

MERIDIAN OF PADRE BEACH SUBDIVISION SECTION X

STATE OF TEXAS
COUNTY OF CAMERON
I, THE UNDERSIGNED, BRANDON FARLEY OF 15F'S INVESTMENTS, LLC, A MANAGING MEMBER OF "ACCESS SPI, LLC", OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS "LOTS 1A, 1B, 1C, 1D AND 1E, BLOCK 156, PADRE BEACH, SECTION X", WITHIN THE CITY OF SOUTH PADRE ISLAND OR ITS E.T.I. AND WHOSE NAME IS SUBSCRIBED HEREIN, HEREBY DEDICATED TO THE APPROPRIATE PUBLIC OR PRIVATE ENTITY FOR THE BENEFIT OF THE PUBLIC OR PRIVATE LAND OWNERS, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OR CONSIDERATION THEREIN EXPRESSED.

BRANDON FARLEY OF 15F'S INVESTMENTS, LLC.
A MANAGING MEMBER OF "ACCESS SPI, LLC"

10/18/16
DATE

STATE OF TEXAS COUNTY OF CAMERON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, BRANDON FARLEY OF 15F'S INVESTMENTS, LLC, A MANAGING MEMBER OF "ACCESS SPI, LLC", KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 18 DAY OF October, 2016.

Notary Public
NOTARY PUBLIC
COUNTY



STATE OF TEXAS COUNTY OF CAMERON

I, THE UNDERSIGNED, MR. S. DAVID DEANDA, JR., PRESIDENT OF LONE STAR NATIONAL BANK, DUTY AUTHORIZED OFFICER OF THE LENDHOLDER OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY, BEING HEREIN AS LOT 1, BLOCK 156, PADRE BEACH, SECTION X, WITHIN THE CITY OF SOUTH PADRE ISLAND, TEXAS, OR ITS E.T.I. DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY AS PROVIDED FOR UNDER THE PLAT AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

Notary Public
MR. S. DAVID DEANDA, JR. PRESIDENT OF LONE STAR NATIONAL BANK
COUNTY

10-18-16
DATE

STATE OF TEXAS COUNTY OF CAMERON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MR. S. DAVID DEANDA, JR., PRESIDENT OF LONE STAR NATIONAL BANK, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 18th DAY OF October 2016.

Notary Public
NOTARY PUBLIC
COUNTY



GULF OF MEXICO

MERIDIAN OF PADRE BEACH SUBDIVISION SECTION X

FINAL PLAT
OF
"LOTS 1A, 1B, 1C, 1D AND 1E, BLOCK 156, PADRE BEACH, SECTION X"

BEING A RE-PLAT OF
LOT NUMBER ONE (1), BLOCK NUMBER ONE HUNDRED FIFTY-SIX (156), PADRE BEACH, SECTION X, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN CABINET 1, SLOT 2642 A, MAP RECORDS OF CAMERON COUNTY, TEXAS.

SCALE: 1" = 30'

PREPARED FOR:
ACCESS SPI, LLC

SEPTEMBER 27, 2016

Mejia & Rose, Incorporated

Engineering T.B.P.S. Reg. No. F-002670
Surveying T.B.P.L.S. Reg. No. 10023900

1643 West Price Road (956) 544-3022

P.O. Box 3761 Brownsville, Texas 78520

Fax (956) 544-3068 email: mandrinc@cngmail.com

OWNER:
ACCESS SPI, LLC
7220A BOB BULLOCK LOOP
LAREDO, TEXAS 78041
(956) 544-3022
(956) 544-3068 FAX

G.P. NO. N/A JOB NO. 10054

8 THROUGH

CAS



Beach & Dune Application

City of South Padre Island
4801 Padre Blvd.
South Padre Island, TX 78597
Phone: (956) 761-3044
Fax: (956) 761-3898

Site for Proposed Work

Legal Description: Lot 1E Block 156 Padre Beach, Section x Physical Address: _____

Property Owner Information

Name: Access SPI, LLC
Mailing Address: 7220 Bob Bullock Loop Suite 4A
City: Laredo State: Texas ☐
Zip: 78041 Country: United States ☐
Phone Number: 956-648-8273
Fax Number: _____
E-Mail Address: BFAIRLIE@EBMERIT.COM

Applicant / Agent for Owner

Name: Brandon Fairlie
Mailing Address: 5119 N McColl Rd.
City: McAllen State: Texas ☐
Zip: 78504 Country: United States ☐
Phone Number: 956-648-8273
Fax Number: _____
E-Mail Address: BFAIRLIE@EBMERIT.COM

I / We, owners of the above-mentioned property, authorize the applicant stated above, to act in my behalf in order to acquire a Beach and Dune permit for the construction proposed below. (owner initials here AB)

Owner(s) Signature(s): [Signature]
Date: 04/13/17

Applicant Signature: [Signature]
Date: 04/13/17

Project Description

Describe with as much as detail as possible, the construction proposed. If more room is needed, please include an additional page. Include the number of habitable units, amenities, swimming pools, fences, kinds of fences, whether footings and/or retaining walls will be installed, and locations of proposed landscaping and parking.

2 Story Town Home - 5 Bed / 5 1/2 Bath / 2 car Garage

2,723 SF Total Living 3,5285 SF Total (Garage, Covered Patio and Balcony)

NOTE: * EXISTING RETAINING WALL SET AT HISTORICAL BUILDING LINE*

Total Square Footage of Footprint of Habitable Structure: 1,774 SF

Total Area of Impervious Surface (i.e. retaining walls, walkways, drives, patios, etc.): 460 SF

Percentage Impervious Surface ((impervious surface / habitable footprint) * 100): 26,2%

Please Note: the percentage of impervious surface cannot exceed 5% in an eroding area.

Approximate Duration of Construction: 8 Months

Financial Plan for the Removal of All Hard Structures

All properties which are allowed to build retaining walls on their property are allowed to do so with the condition that a financial plan for the removal of the retaining wall is submitted to the Public Works Department of the City of South Padre Island. Removal of the retaining wall at the owner's expense may be required once the retaining wall comes into regular contact with wave action for twenty (20) out of thirty (30) consecutive days. The City accepts the submission of a Retaining Wall Covenant, or other financial guarantee, insuring the removal of the retaining wall if the required conditions are met.

Type of Plan Submitted: _____ Date Submitted: _____

Drainage

Describe the impact that the proposed construction will have on the natural drainage pattern on the site and adjacent lots.

- ☐ No change in the drainage on site.
- ☒ The proposed construction will change the grading and the drainage on the subject property. (An explanation will be required detailing where the water will drain.)

Explanation / Other Information: Minimal change due the use of concrete pavers and grade to gulf Blvd.

Existing retaining wall set at Historical Building Line. Shown on site plan

Impacts to Beach / Dune System

Answer each question as completely as possible in narrative form.

1. What damage will this proposed construction have on the dune vegetation located at the project site?

- ☒ No damage to dune vegetation whatsoever.
- ☐ The proposed construction will impact _____% of the dune vegetation site. (An explanation of the "impact" will be required.)
- ☐ The proposed construction will require the removal and relocation of _____% of the dune vegetation on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: _____

2. How will the proposed construction alter the dune size/shape at the project site?

- ☒ No change to dune size/shape whatsoever.
- ☐ The proposed construction will change _____% of the size/shape of dunes on site. (Details will be required.)
- ☐ The proposed construction will require the removal and relocation of _____% of the dunes on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information: _____

3. How will the proposed construction change the hydrology of the dunes at the project site?

- ☒ No change to dune hydrology whatsoever.
- ☐ The proposed construction will impact dune hydrology on site. (Details will be required.)

Explanation / Other Information: _____

4. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse effects on dunes and dune vegetation.

5. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse impairment to beach access.

Mitigation Plan

Describe the methods which you will use to avoid, minimize, mitigate and/or compensate for any adverse effects on dunes or dune vegetation.

Explanation / Other Information: _____

Financial Plan for Dune Mitigation:

If required by the City Council, a financial guarantee (irrevocable letter of credit or a performance bond, etc.) may be necessary to insure the mitigation of dunes/dune vegetation takes place as proposed and required of the applicant.

Type of Plan Submitted: _____ Date of Submission: _____

Checklist of Additional Required Application Information

An accurate map, plat or site plan showing:

- ☐ 1. Legal description of the property (lot, block, subdivision) and the immediately adjoining property.
- ☐ 2. Location of all existing structures - including the habitable and inhabitable structures, swimming pools, decks, fences, parking areas, landscape areas, etc.
- ☐ 3. Location of the Historical Building Line on the subject property and the extension of the line on the properties immediately adjoining the subject property to the north and to the south.
- ☐ 4. Location and elevation of existing retaining walls - both on the subject property and those properties immediately adjoining the subject property to the north and to the south.
- ☐ 5. Location of proposed structure(s) - if proposing the construction of a retaining wall, please also include the proposed elevation of the retaining wall.
- ☐ 6. Location of proposed driveways, parking areas (showing the # of proposed parking spaces) and landscape areas.
- ☐ 7. Location of all existing and proposed beach access paths and/or dune walkovers.
- ☐ 8. Location and extent of any man-made vegetated mounds, restored dunes, fill activities, or any other pre-existing human modifications on the tract.
- ☐ 9. Topographical survey of the site identifying all elevations, existing contours of the project area (including dunes and scales) and the proposed contours of the final grade.

Other required application information:

- ☐ 1. A grading and layout plan showing proposed contours for the final grade.
- ☐ 2. The floor plan(s) and elevation(s) of the structure proposed to be constructed or expanded.
- ☐ 3. Photographs of the site which clearly show the current location of the vegetation line & existing dunes on the tract within the last 6 months.
- ☐ 4. Copy of the Flood Rate Map showing the location of the subject property. (FEMA.GOV - Map Search)
- ☐ 5. Copy of the Historical Erosion Rate Map as determined by the University of Texas at Austin, Bureau of Economic Geology. (beg.utexas.edu)
- ☐ 6. Application Fee of \$180 for Staff Approved applications and \$300 for City Council Approved applications.

Your application is not complete unless all information requested above is submitted.

Application submissions require only three (3) copies of the complete information plus a digital copy.

ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name ACCESS SPI, LLC				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. GULF BOULEVARD				Company NAIC Number:	
City SOUTH PADRE ISLAND		State Texas		ZIP Code	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOT 1E, BLOCK 156, PADRE BEACH SECTION X					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>					
A5. Latitude/Longitude: Lat. <u>N 26-07-25.23</u> Long. <u>W 097-10-01.66</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>1B</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) _____ sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A8.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage _____ sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A9.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number TOWN OF SOUTH PADRE ISLAND 480115			B2. County Name CAMERON		B3. State Texas
B4. Map/Panel Number 480115 0001	B5. Suffix D	B6. FIRM Index Date	B7. FIRM Panel Effective/ Revised Date 03/09/1999	B8. Flood Zone(s) X SHADED, VE	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) 13
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input checked="" type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expiration Date: November 30, 2018

IMPORTANT: In these spaces, copy the corresponding information from Section A.			FOR INSURANCE COMPANY USE
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. GULF BOULEVARD			Policy Number:
City SOUTH PADRE ISLAND	State Texas	ZIP Code	Company NAIC Number

SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☒ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction
*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: E 1436 Vertical Datum: NAVD 88

Indicate elevation datum used for the elevations in items a) through h) below.

☒ NGVD 1929 ☐ NAVD 1988 ☐ Other/Source: _____

Datum used for building elevations must be the same as that used for the BFE.



Check the measurement used.

- | | | |
|---|-------------|--|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor) | <u>15.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| b) Top of the next higher floor | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only) | <u>13.0</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| d) Attached garage (top of slab) | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building
(Describe type of equipment and location in Comments) | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG) | <u>8.9</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG) | <u>12.6</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support | <u>N/A</u> | <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters |

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

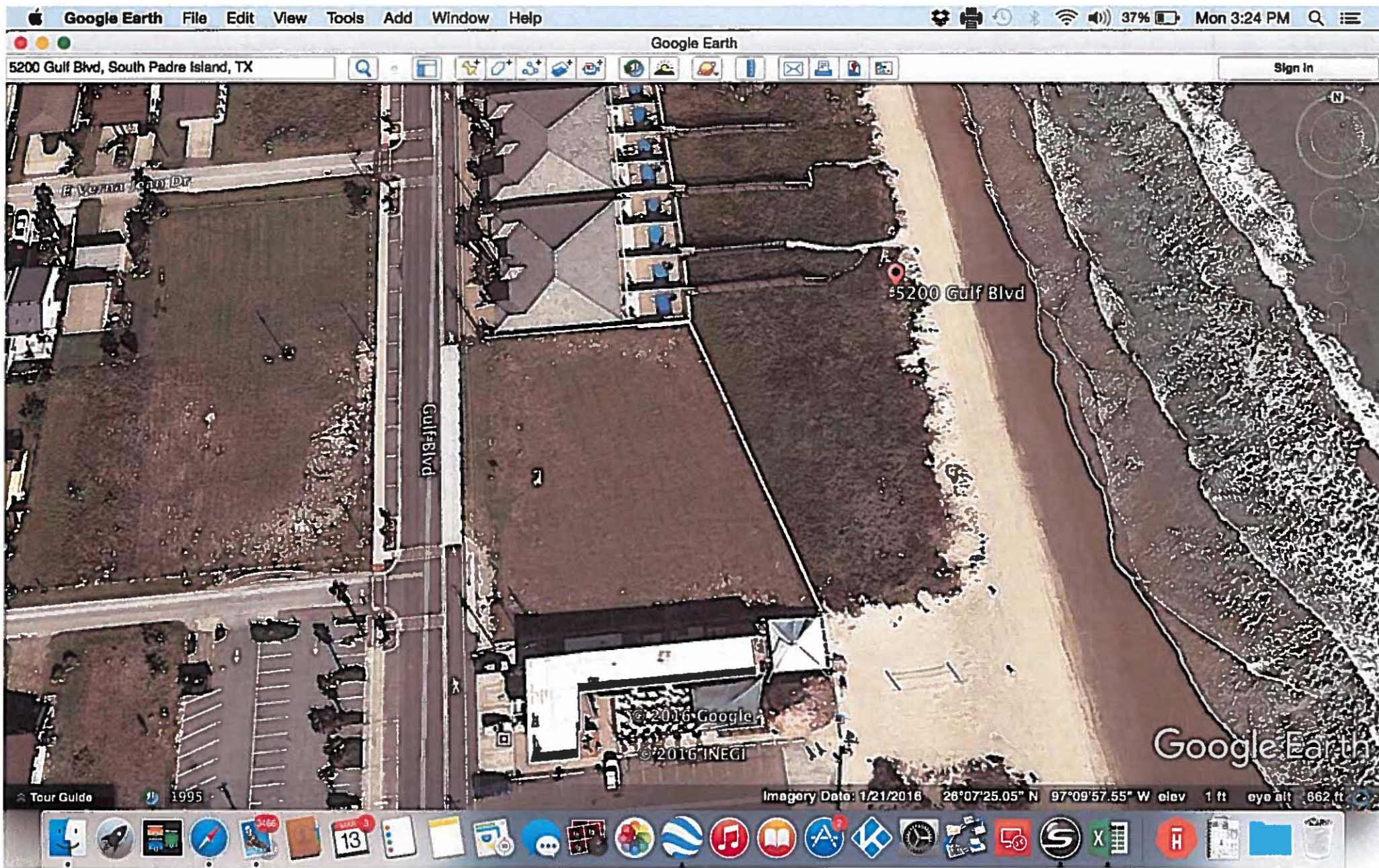
Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No ☐ Check here if attachments.

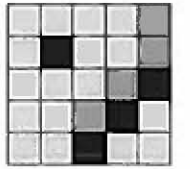
Certifier's Name LORENZO AMAYA		License Number 4834	
Title OWNER			
Company Name AMAYA SURVEYING CO., LLC			
Address 805 E. LOS EBANOS BLVD			
City BROWNSVILLE	State Texas	ZIP Code 78520	
Signature 	Date 03/08/2017	Telephone (956) 550-0177	

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

BENCHMARK E 1436 ELEVATION CONVERTED TO NGVD 29 USING VERTCON ON NGS WEBSITE; ON SITE TBM IS A SPINDLE SET IN ASPHALT APPROXIMATELY 115' SOUTH AND 20' WEST OF SOUTHEAST CORNER OF LOT 1E; ELEVATION = 8.65 (NGVD 29)





PRO PLANS

COMMERCIAL, RESIDENTIAL
PLANS, & 3D RENDERINGS

2008 W. PERSIMMON LANE, SUITE 7
FARMER, TEXAS 77847
TEL (956) 275-2295
FAX (956) 275-2299

PROVIDED SHALL BE THE PROPERTY OF
PRO PLANS. THE MATERIALS PROVIDED UP
ON THIS PLAN ARE NOT TO BE REPRODUCED
OR USED IN ANY MANNER WITHOUT THE
WRITTEN PERMISSION OF PRO PLANS.

PROJECT NAME
SPI CONDOS
OWNER NAME
NAME
ADDRESS

SOUTH PADRE ISLAND, TEXAS

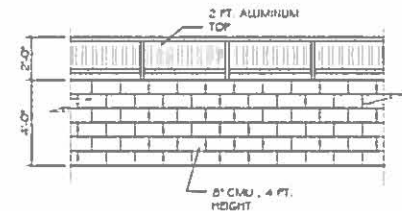
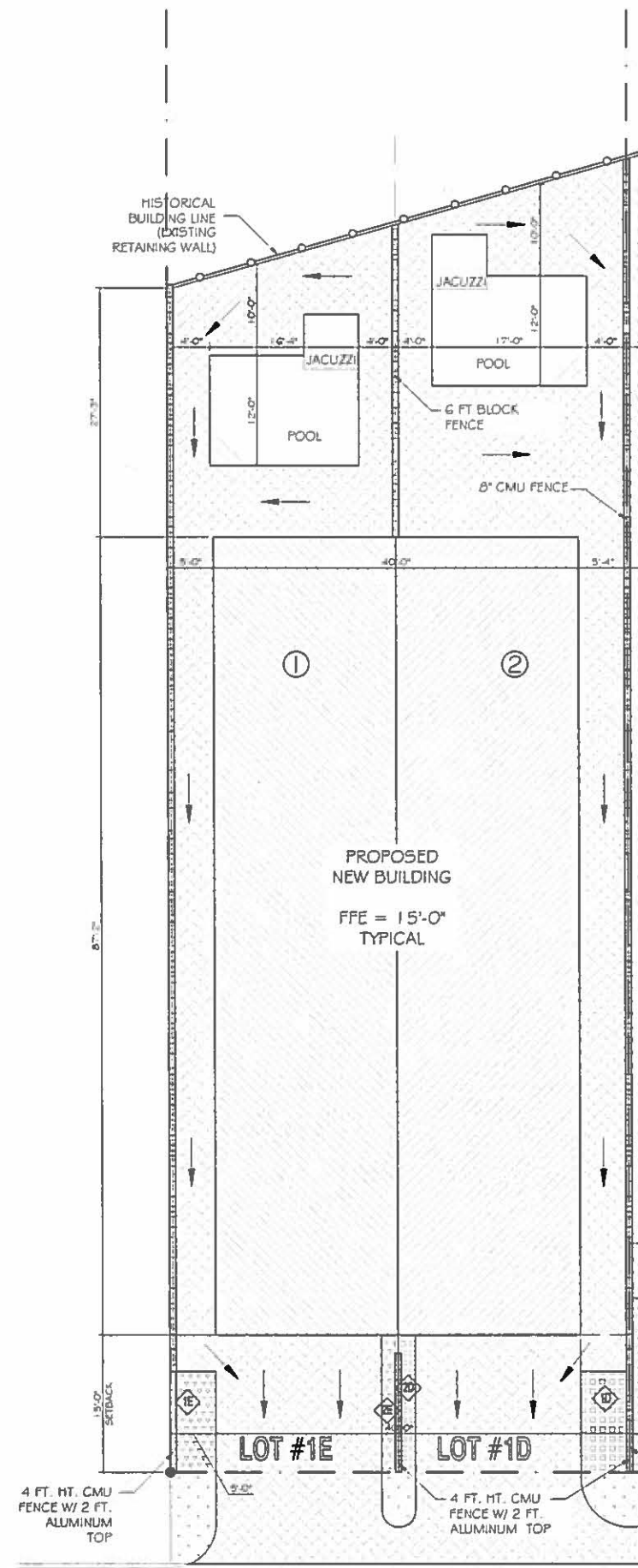
REVISIONS

02/01/16	FOR REVIEW
10/13/16	FOR REVIEW
10/15/16	FOR REVIEW
11/02/16	FOR REVIEW
12/06/16	FOR REVIEW
12/06/16	FOR REVIEW
01/05/17	FOR REVIEW
02/23/17	FOR REVIEW
03/09/17	REVIEW SET
03/31/17	UPDATES

PROJECT
SITE PLAN-1

PROJ. NO.
1716
DRAWN BY
RER
CHECKED BY

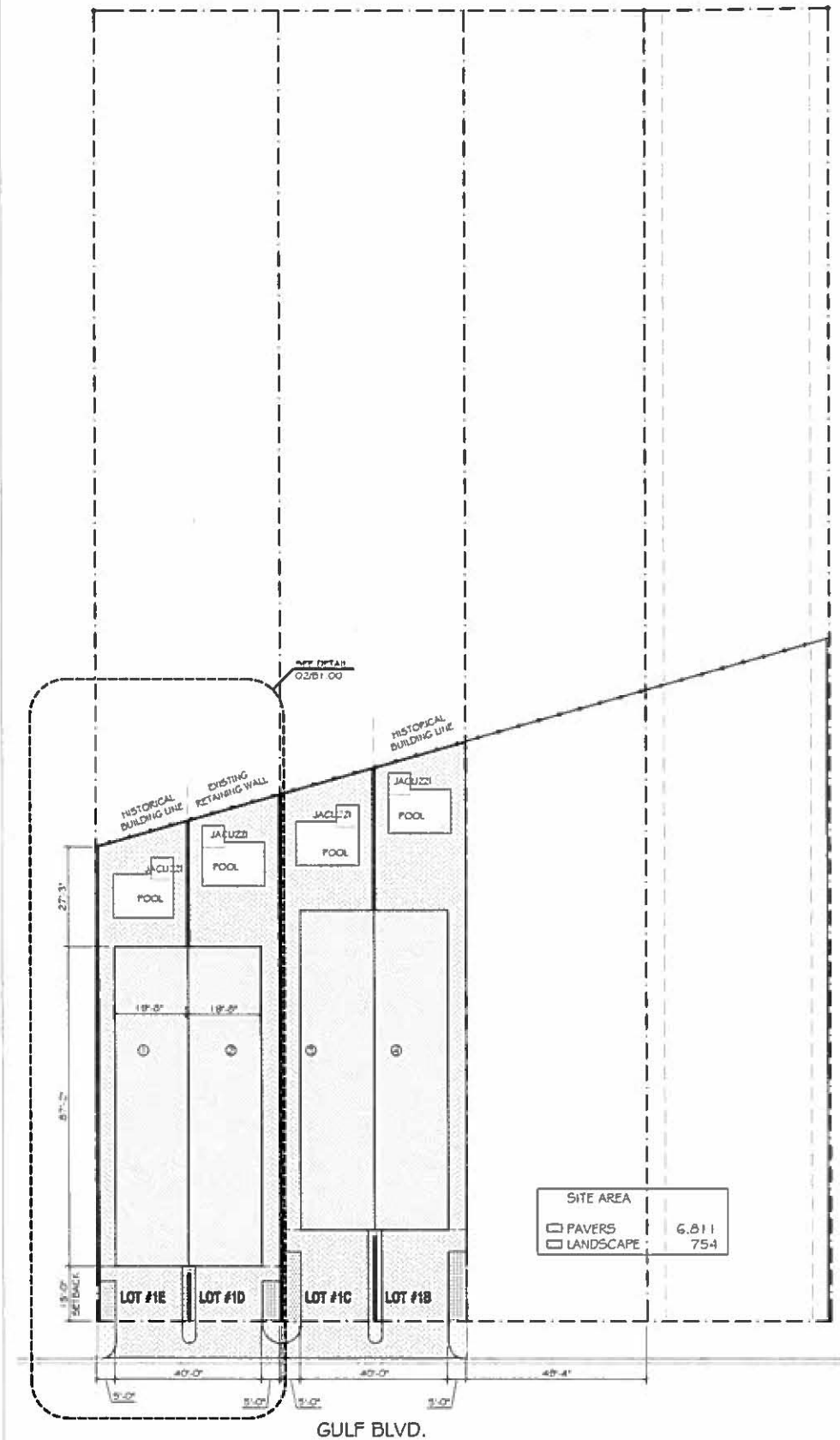
B1.00



LANDSCAPE AREA	
LANDSCAPE REQUIRED: 37.5 S.F.	
LOT #1D (PROVIDED)	
10	55 S.F.
20	22.5 S.F.
77.5 TOTAL S.F.	
LOT #1E (PROVIDED)	
1E	55 S.F.
2E	22.5 S.F.
77.5 TOTAL S.F.	

SITE AREA	
PAVERS	6,811

FENCE LEGEND	
	8 INCH CONCRETE MASONRY UNIT (CMU), 6 FEET HIGH
	4 FT. HT., 8 IN. CMU FENCE W/ 2 FT. ALUMINUM TOP
	6 FT. HT. ALUMINUM FENCE



ENLARGED SITE PLAN (LOT # 1E & 1D)

SCALE: 1/8" = 1'-0" 02

OVERALL SITE PLAN

SCALE: 1" = 20'-0" 01

METES & BOUNDS DESCRIPTION

1.720 ACRE TRACT BEING LOT NUMBER ONE (1), BLOCK NUMBER ONE HUNDRED FIFTY-SIX (156), PADRE BEACH, SECTION X, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN CABINET 1, SLOT 2642 A, MAP RECORDS OF CAMERON COUNTY, TEXAS, SAID 1.720 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AND LOCATED AS FOLLOWS:

BEGINNING AT A 1/2" HIGH PIN WITH CAP STAMPED "MATA" FOUND AT THE NORTHWEST CORNER OF LOT 5, BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF GULF BOULEVARD (75 FT. R.O.W.), FOR A CORNER OF THIS TRACT;

THENCE, ALONG THE EAST RIGHT-OF-WAY LINE OF GULF BOULEVARD, NORTH 08°54' WEST, A DISTANCE OF 200.0 FEET TO A PUNCH MARK FOUND IN CONCRETE BASE OF STUCCO WALL AT THE NORTHWEST CORNER OF SAID LOT 1, FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE NORTH BOUNDARY LINE OF SAID LOT 1, NORTH 83°56' EAST, AT 130.0 FEET THE ADJUSTED HISTORICAL BUILDING LINE, A TOTAL DISTANCE OF 370.2 FEET TO A POINT ON THE CONTOUR OF ELEVATION +0.7 FEET (N.G.V.D. 1929) SURVEYED FOR MEAN HIGHER HIGH TIDE ON OCTOBER 15, 2016, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE CONTOUR OF ELEVATION +0.7 FEET, SOUTH 08°38'42" EAST, A DISTANCE OF 200.20 FEET (CALC.), TO A POINT ON THE NORTH BOUNDARY LINE OF SAID LOT 3, FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, ALONG THE NORTH BOUNDARY LINE OF SAID LOT 3, SOUTH 83°58' WEST, AT 192.1 FEET, PASSING THE HISTORICAL BULKHEAD LINE, AT A DISTANCE OF 192.4' A PUNCH MARK FOUND ON A CONCRETE BULKHEAD, A TOTAL DISTANCE OF 379.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.720 ACRES OF LAND, MORE OR LESS.

SURVEYOR'S CERTIFICATION:

I, EDUARDO H. MEJIA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.

E. H. Mejia
EDUARDO H. MEJIA
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 3900



STATE OF TEXAS COUNTY OF CAMERON

THE UNDERSIGNED HEREBY CERTIFIES THAT ALL AD VALOREM TAXES OWED TO ALL OF THE TAXING UNITS, REPRESENTED BY THE UNDERSIGNED ARE CURRENTLY PAID IN FULL, FOR THE AREA INSIDE THE BOUNDARIES OF "LOT 1, BLOCK 156, PADRE BEACH, SECTION X", DEPICTED HEREON.

APPROVED: *Tony Yzaguirre* 10/17/16
TONY YZAGUIRRE, JR.
ASSESSOR AND COLLECTOR OF TAXES, CAMERON COUNTY, TEXAS
ASSESSOR AND COLLECTOR OF TAXES, POINT ISABEL INDEPENDENT SCHOOL DISTRICT



LAGUNA MADRE WATER DISTRICT'S CERTIFICATION

THE SUBJECT PROPERTY, AS SHOWN ON THIS PLAT, HAS EXISTING WATER AND SEWER FACILITIES THAT ARE IN COMPLIANCE WITH THE TEXAS WATER CODE SECTION 16.343, AS AMENDED.

Carlos J. Galvan, Jr. 10-17-16
CARLOS J. GALVAN, JR. - GENERAL MANAGER
LAGUNA MADRE WATER DISTRICT

STATE OF TEXAS COUNTY OF CAMERON

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SOUTH PADRE ISLAND, THIS THE 20 DAY OF OCTOBER 2018.

PLANNING AND ZONING COMMISSION CHAIR PUBLIC WORKS DIRECTOR

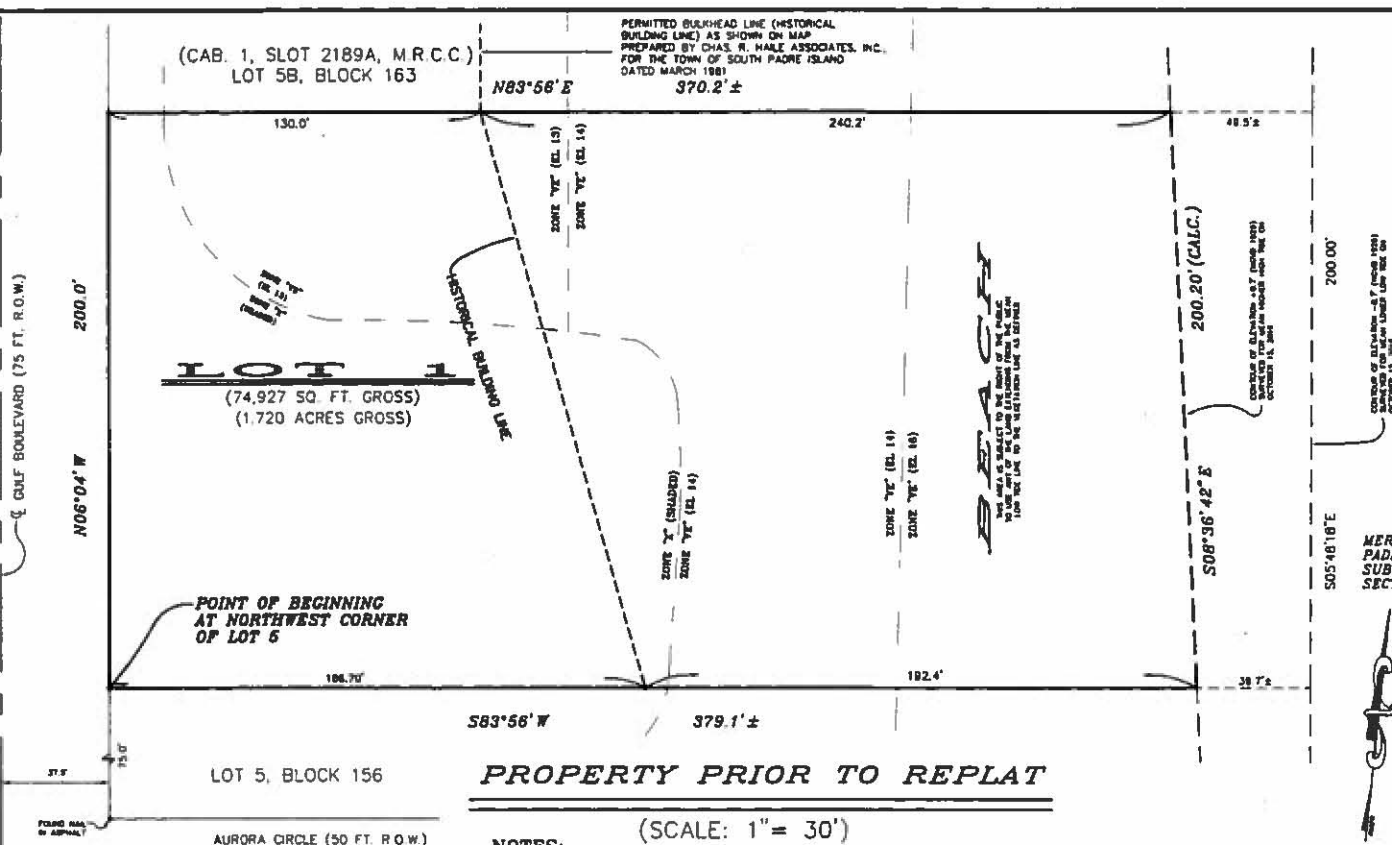
STATE OF TEXAS COUNTY OF CAMERON

I, SYLVIA GARZA-PEREZ, COUNTY CLERK OF CAMERON COUNTY, certify that the plat bearing this certificate was filed and duly recorded on the 19th day of October 2016 at 11:51 O'clock A M in the Map Records of Cameron County, Texas, Document No. 15528

By: *Daniel L. Lark* Deputy



3528

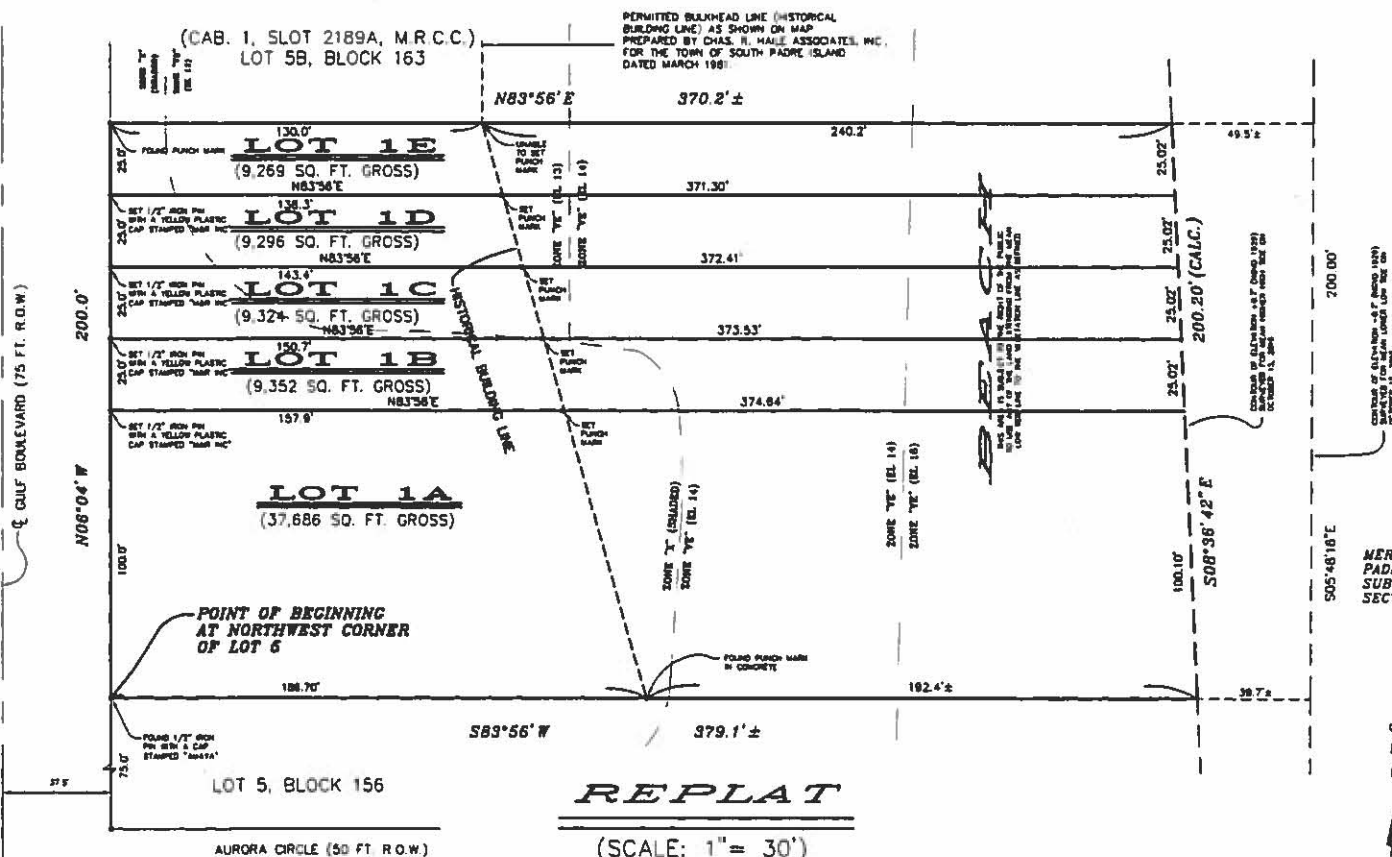


PROPERTY PRIOR TO REPLAT

(SCALE: 1" = 30')

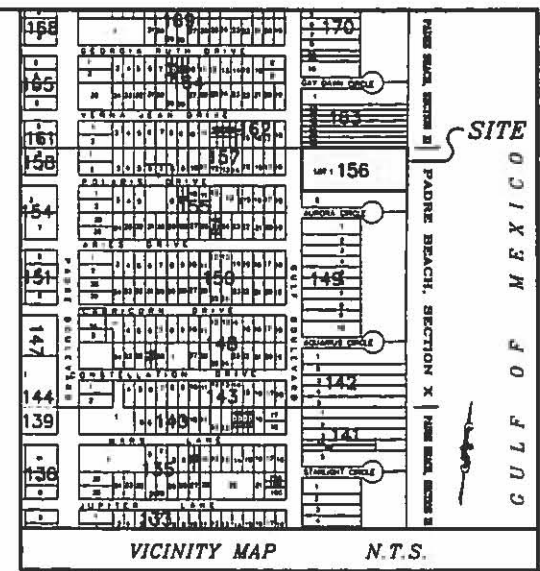
NOTES:

- 1) MONUMENTATION FOUND ALONG THE EAST RIGHT-OF-WAY LINE OF GULF BOULEVARD WAS HELD FOR BASIS OF BEARING.
- 2) THIS TRACT LIES IN FLOOD ZONES "X" (SHADED), "VE" (ELEV. 13), "VE" (ELEV. 14), "VE" (ELEV. 16) AS PER THE F.I.A. FLOOD INSURANCE RATE MAP OF COMMUNITY NO. 460115, PANEL NO. 00010, REVISED MARCH 9, 1999.
- 3) REFERENCE NGS BENCH MARK "E 1436" (ELEV. 2.66) (N.G.V.D. 1929) AND IS LOCATED ON THE WEST RIGHT-OF-WAY LINE OF PADRE BOULEVARD BETWEEN GEORGIA RUTH DRIVE AND CAROLYN DRIVE.
- 4) LOT 1 IS ZONED "B" MULTI-FAMILY, APT., MOTEL, HOTEL, CONDO, TOWNHOUSE DWELLING DISTRICT, PER CHAPTER 20 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND'S ZONING CODES.
- 5) ZONE "B" SETBACKS PER SECTION 20-7.0 OF THE CODE OF ORDINANCES OF THE CITY OF SOUTH PADRE ISLAND'S ZONING CODES.
- 6) LOTS 1B, 1C, 1D AND 1E ARE DESIGNATED FOR TOWNHOUSE USE ONLY.



REPLAT

(SCALE: 1" = 30')



STATE OF TEXAS
COUNTY OF CAMERON
I, THE UNDERSIGNED, BRANDON FAIRLE OF 15FS INVESTMENTS, LLC, A MANAGING MEMBER OF "ACCESS SPI, LLC", OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS "LOTS 1A, 1B, 1C, 1D AND 1E, BLOCK 156, PADRE BEACH, SECTION X, CITY OF SOUTH PADRE ISLAND OR ITS ETL, AND WHOSE NAME IS SUBSCRIBED TO THIS PLAT AND DO HEREBY DEDICATE TO THE APPROPRIATE PUBLIC OR PRIVATE ENTITY FOR THE BENEFIT OF THE PUBLIC OR PRIVATE LAND OWNERS, ALL STREETS, ALLEYS, FENCES, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE OR CONSIDERATION THEREIN EXPRESSED.

STATE OF TEXAS
COUNTY OF CAMERON
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, BRANDON FAIRLE OF 15FS INVESTMENTS, LLC, A MANAGING MEMBER OF "ACCESS SPI, LLC", KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAT AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

STATE OF TEXAS
COUNTY OF CAMERON
THE UNDERSIGNED, MR. S. DAVID DEANDA, JR., PRESIDENT OF LONE STAR NATIONAL BANK, DULY AUTHORIZED OFFICER OF A SECURITY INTEREST IN THE ABOVE DESCRIBED PROPERTY BEING HEREIN AS LOT 1, BLOCK 156, PADRE BEACH, SECTION X, WITHIN THE CITY OF SOUTH PADRE ISLAND, TEXAS, ON ITS ETL, DO HEREBY CONSENT TO THE SUBDIVISION OF THE PROPERTY AS PROVIDED FOR UNDER THE PLAT AND DO HEREBY PROVIDE THAT ANY FORECLOSURE RELATING TO THE SECURITY INTEREST ON THE ABOVE DESCRIBED PROPERTY SHALL BE SUBJECT TO THE PLATTING OF THE PROPERTY AS PROVIDED FOR HEREIN.

STATE OF TEXAS
COUNTY OF CAMERON
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MR. S. DAVID DEANDA, JR., PRESIDENT OF LONE STAR NATIONAL BANK, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS PLAT, AND DO HEREBY PROVIDE THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

FINAL PLAT
OF
"LOTS 1A, 1B, 1C, 1D AND 1E, BLOCK 156, PADRE BEACH, SECTION X"

BEING A RE-PLAT OF
LOT NUMBER ONE (1), BLOCK NUMBER ONE HUNDRED FIFTY-SIX (156), PADRE BEACH, SECTION X, CITY OF SOUTH PADRE ISLAND, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP RECORDED IN CABINET 1, SLOT 2642 A, MAP RECORDS OF CAMERON COUNTY, TEXAS.

SCALE: 1" = 30'
PREPARED FOR:
ACCESS SPI, LLC
SEPTEMBER 27, 2016

Mejia & Rose, Incorporated
Engineering T.B.P.E. Reg. No. F-002670
Surveying T.B.P.L.S. Reg. No. 10023900
1643 West Price Road (956) 544-3022
P.O. Box 3761 Brownsville, Texas 78520
Fax (956) 544-3068
email: mandrinc@engmail.com
OWNER:
ACCESS SPI, LLC
7228A BOB BULLOCK LOOP
LAREDO, TEXAS 78041
(956) 544-3022
(956) 544-3068 FAX
JOB NO. 19554
S. TROWBRIDGE
CAS

SHORELINE TASK FORCE AGENDA REQUEST FORM

MEETING DATE: March 20, 2017

ITEM: 8

TO: Shoreline Task Force

FROM: Brandon Hill, Shoreline Management Director

ITEM DESCRIPTION:

Discussion and possible action to recommend City Council grant the Shores beach maintenance permit with GLO comments.

DISCUSSION:

See attachment.

Brandon Hill

From: Natalie Bell <Natalie.Bell@GLO.TEXAS.GOV>
Sent: Sunday, November 13, 2016 1:45 PM
To: Brandon Hill
Subject: The Shores Beach Maintenance permit
Attachments: BDSPI-13-0129.pdf

Hi Brandon-

Reuben reminded me a few days ago that The Shores beach maintenance permit may be either expired or nearly expired. Are City permits good for 2 or 3 years?

The Shores should be the only entity with a permit to do their own beach maintenance in front of their property, since the City works on the remainder of SPI jurisdiction. If you don't like the way they have been performing their maintenance than we can tweak some things when (and if) they apply for another permit.

Natalie Bell
Team Lead, Beach Access & Dune Protection Program
Coastal Resources Division
Texas General Land Office
(512) 463-0413

TEXAS



GENERAL LAND OFFICE

JERRY PATTERSON, COMMISSIONER

May 9, 2013

Via Electronic Mail

Mr. Reuben Trevino
City of South Padre Island
P.O. Box 3410
South Padre Island, Texas 78597-3410

Beachfront Construction and Dune Protection Permit in the Town of South Padre Island

Site Address: 8605 Padre Boulevard
Legal Description: The Shores Master Planned Development
Lot Applicant: Dennis Franke
GLO ID No.: BDSPI-13-0129

Dear Mr. Trevino:

The General Land Office has reviewed the application for a dune protection permit and beachfront construction certificate for the above-referenced location. The applicant proposes to conduct beach maintenance along approximately 2,640 linear feet of beach in an area that, according to the Bureau of Economic Geology, is eroding at a rate of five to six feet per year.

Based on the materials forwarded to our office for review, we have the following comments:

- Daily raking of high tide line could negatively impact the beach profile. The applicant should minimize the raking of the beach to only when the influx of materials is heavy enough to impact the public's ability to use the public beach easement. The GLO encourages the removal of litter and other debris by handpicking or raking and strongly discourages the use of machines.¹
- The proposed beach maintenance activities must minimize the redistribution of sand and alteration of the beach profile to the greatest extent possible.²
- The proposed beach maintenance activity must not restrict or interfere with public use of the beach.³
- The applicant must avoid, minimize and mitigate for the disturbance of any dunes or dune vegetation.⁴

¹ 31 Tex. Admin. Code § 15.7(l).

² 31 Tex. Admin. Code § 15.7(l).

³ 31 Tex. Admin. Code § 15.7(e).

⁴ 31 Tex. Admin. Code § 15.4(f)(3).

Stephen F. Austin Building • 1700 North Congress Avenue • Austin, Texas 78701-1495

P.O. Box 12873 • Austin, Texas 78711-2873

512.463.5001 • 800.998.4GLO

glo.texas.gov

May 9, 2013
Page 2 of 2

If you have any questions, please contact me by phone at (512) 463-0413 or by email at natalie.bell@glo.texas.gov.

Sincerely,

A handwritten signature in black ink that reads "Natalie Bell". The signature is written in a cursive style with a large, stylized "N" and "B".

Natalie Bell
Beach/Dune Program
Coastal Resources Division
Texas General Land Office

Message Id: 518BFA11.8AF : 39 : 64829
Subject: GLO comments on beachfront construction application
Created By: Natalie.Bell@GLO.TEXAS.GOV
Scheduled Date:
Creation Date: 5/9/2013 2:33 PM
From: Natalie Bell

Recipients

Recipient	Action	Date & Time	Comment
 MySPI.org	Transferred	5/9/2013 2:33 PM	
To: Reuben Trevino (RTrevino@MySPI.org)			

Post Offices

Post Office	Delivered	Route
MySPI.org		MySPI.org

Files

File	Size	Date & Time
BDSPI-13-0129.pdf	369145	5/9/2013 2:30 PM
MESSAGE	1963	5/9/2013 2:33 PM

Options

Auto Delete: No
Concealed Subject: No
Expiration Date: None
Notify Recipients: Yes
Priority: Standard
Reply requested by: None
Security: Standard
To Be Delivered: Immediate

Record Id

Record Id	518BB3C1.DOM1.PO_1.100.1743374.1.1AD3.1
Common Record Id	518BB3C1.DOM1.PO_1.200.2000027.1.8BEB.1

GLO B/D ID No: BDSPI-13-0129

Received: 4/25/13 Date Due: 5/9/13

Resource Personnel: Natalie Bell

Date Received: 4/25/13

Legal Personnel:

Date Received: 4/30/13

[illegible]

From: Reuben Trevino <RTrevino@MySPI.org>
To: Natalie Bell <Natalie.Bell@GLO.TEXAS.GOV>
Date: 4/25/2013 1:45 PM
Subject: The Shores Subd beach maintenance BD application
Attachments: Shore BM- Beach & Dune Application - 04.18.13.pdf, Shores BM predel.doc

Afternoon Natalie

Attached is the application and predetermination memo for the Shores Subd. Beach Maintenance permit. Let me know if any additional information is required.

Thanks

Reuben Trevino
Coastal Resources Manager
City of South Padre Island

[illegible]

MEMORANDUM

TO: Beach & Dune Task Force
Natalie Bell, General Land Office

FROM: Reuben Trevino, Coastal Resources Manager

DATE: April 25, 2013

RE: Preliminary determination on the impact of the proposed permit application by Dennis Franke for the Shore Development, Inc.

The preliminary determination of this project is that there is no proposed construction so there will be no increase in impervious surface.

All proposed activity is east of the 440 building line, therefore:

1. The activity could conceivably reduce the size of the public beach. The applicant has stated that raked material will be placed within 20 feet of the line of vegetation [TAC 15.5 (b)(1)]
2. The proposed activity does not appear to involve construction upon the public beach. [TAC 15.5 (c)(1)]
3. All proposed activity will take place east of the 440 Building Line; therefore the potential does exist for the proposed material placement to encroach upon the public beach; [TAC 15.5 (c)(2)]

The proposed construction activity will not close any existing public beach accesses within the area, nor will the construction close or prevent the use of any existing public beach parking spaces.

Concerning the Dune Protection element, our preliminary determination is that the application conforms to the requirements of the City's *Dune Protection and Beach Renourishment and Access Plan*, in that: [B&D Ord. Section 22-10]

1. The activity should not result in the increased flood damage to the subject property or adjacent properties.
2. The activity will not result in run-off or drainage patterns that aggravate erosion on and off the site. All material will be placed east of the LOV.
3. Little to no change is expected in the existing dune hydrology to the east of the 440 Building Line. All material will be placed east of the LOV.

4. The proposed activity will not likely disturb portions of the flora or fauna on site if the material is placed east of the LOV.
5. The activity will not significantly increase the potential for washover or blowouts. The protection of the property from washovers and blowouts is a matter of the level of protection provided by increases in the overall elevation of the subject property, the strength of the proposed structures, and the width of the beach and existing dunes, none of which will be impacted with this application request.

Reuben Trevino

**Town of South Padre Island
Beach & Dune Application**



Site for Proposed Work:

Legal Description: SHORES

Property Owner Information:

Name: SHORES DEVELOPMENT, INC.
Mailing Address 8605 PADRE BOULEVARD
City, State, Zip SO. PADRE ISLAND, TX 78597
Phone Number: 956 761-2606
Fax Number 956 761-2650
E-mail Address DENNIS@FRANKEREALTORS.COM

Physical Address: 8500 PADRE BOULEVARD

Applicant/Agent for Owner:

Name: DENNIS FRANKE
Mailing Address 8605 PADRE BOULEVARD
City, State, Zip SO. PADRE ISLAND, TX 78597
Phone Number: 956 761-2606
Fax Number 956 761-2650
E mail Address: DENNIS@FRANKEREALTORS.COM

Applicant Signature: _____

Date of Signature: _____

I/We, owners of the above-mentioned property, authorize the applicant stated above, to act in my behalf in order to acquire a Beach and Dune permit for the construction proposed below. (owner initials here--> _____)

Owner(s) Signature(s): _____

Date of Signature: _____

Project Description:

Describe with as much detail as possible, the construction proposed. If more room is needed, please include an additional page. Include the number of habitable units, amenities, swimming pools, fences, kinds of fences, whether footings and/or retaining walls will be installed, and locations of proposed landscaping and parking

Shores Development, Inc. is requesting a Beach Dune Permit to access the Beach in front of the Shores Master Planned Development (approx. 1/2 mile of Beach) to provide, supplemental to the city, Beach raking of the water line (tide line) to remove seaweed and other organic materials that washes in with the tide and deposit that material on the fore dune line along the Beach to assist in Dune Development and provide a clean Beach. The only area to be raked will be the tide line and no Beach sand will be significantly disturbed or removed.

Total Square footage of footprint of habitable structure: _____ N/A

Total Area of impervious surface (i.e. retaining walls, walkways, drives, patios, etc.): _____ N/A

Percentage of impervious surface [(impervious surface / habitable footprint) * 100]: _____ N/A

Please Note: the percentage of impervious surface cannot exceed 5% in an eroding area.

Approximate Duration of Construction:

REGULAR MAINTENANCE

Financial Plan for the removal of all hard structures.

All Properties which are allowed to build retaining walls on their property are allowed to do so with the condition that a financial plan for the removal of the retaining wall is submitted to the Public Works Department of the Town of South Padre Island. Removal of the retaining wall at the owner's expense may be required if/once the retaining wall comes into regular contact with wave action for twenty (20) out of thirty (30) consecutive days. The Town accepts the submission of a Retaining Wall Covenant, or other financial guarantee, insuring the removal of the retaining wall if the required conditions are met.

Type of Plan submitted: _____ N/A

Date of submission: _____

Drainage:

Describe the impact that the proposed construction will have on the natural drainage pattern on the site and adjacent lots.

a) no change in the drainage on site. <input checked="" type="checkbox"/>	b) the proposed construction will change the grading and the drainage on the subject property. (An explanation will be required detailing where the water will drain.)
---	--

Explanation/other info: THERE WILL BE NO CONSTRUCTION.

Impacts to Beach/Dune System:

Answer each question as completely as possible in narrative form:

1) What damage will this proposed construction have on the dune vegetation located at the project site?

a) no damage to dune vegetation whatsoever. <input checked="" type="checkbox"/>	b) the proposed construction will impact _____ % of the dune vegetation on site. (explanation of the "Impact" will be required)	c) the proposed construction will require the removal and relocation of _____ % of the dune vegetation on site. (the submission of a mitigation plan will be required)
---	---	--

Explanation/other info: THERE WILL BE NO DAMAGE TO THE DUNES OR VEGETATION. THE ORGANIC MATERIAL PLACED ON THE FORE DUNE WILL ENHANCE THE DUNE SIZE AND VEGETATION.

2) How will the proposed construction alter the dune size/shape at the project site?

a) no change to dune size/shape whatsoever	b) the proposed construction will change <u>.01</u> % of the size/shape of dunes on site. (details will be required)	c) the proposed construction will require the removal and relocation of _____ % of the dunes on site (the submission of a mitigation plan will be required)
--	--	---

Explanation/other info: THE ORGANIC MATERIAL PLACED ON THE FORE DUNE WILL HELP IT GROW OVER A PERIOD OF TIME.

3) How will the proposed construction change the hydrology of the dunes at the project site?

a) no change to dune hydrology whatsoever <u>X</u>	b) the proposed construction will impact dune hydrology on site (details will be required)
---	--

Explanation/details: THERE SHOULD BE NO CHANGE TO DUNE HYDROLOGY.

4) Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse effects on dunes and dune vegetation.

N/A

5) Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse impairment to beach access.

N/A

Mitigation Plan: Describe the methods which you will use to avoid, minimize, mitigate and/or compensate for any adverse effects on dunes or dune vegetation.

THE MITIGATED RESULTS WILL BE A MUCH CLEANER AND DESIREABLE BEACH AND THE ENHANCEMENT OF THE FORE DUNE.

Financial Plan for Dune Mitigation:

If required by the Board of Aldermen, a financial guarantee (irrevocable letter of credit or a performance bond, etc.) may be necessary to insure the mitigation of dunes/dune vegetation takes place as proposed and required of the applicant.

Type of Plan submitted: N/A Date of submission: _____

Checklist of Additional Required Application Information:

An accurate map, plat or site plan showing:

- 1) Legal description of the property (lot, block, subdivision) and the immediately adjoining property
- 2) Location of all existing structures - including the habitable and inhabitable structures, swimming pools, decks, fences, parking areas, landscape areas, etc.
- 3) Location of the Historical Building Line on the subject property and the extension of the line on the properties immediately adjoining the subject property to the north and to the south.
- 4) Location and elevation of existing retaining walls - both on the subject property and those properties immediately adjoining the subject property to the north and to the south.
- 5) Location of proposed structure(s) - if proposing the construction of a retaining wall, please also include the proposed elevation of the retaining wall.
- 6) Location of proposed driveways, parking areas (showing the # of proposed parking spaces), and landscape areas.
- 7) Location of all existing and proposed beach access paths and/or dune walkovers.
- 8) Location and extent of any man-made vegetated mounds, restored dunes, fill activities, or any other pre-existing human modifications on the tract.
- 9) Topographical survey of the site identifying all elevations, existing contours of the project area (including dunes and slopes), and the proposed contours of the final grade.

Other required application information:

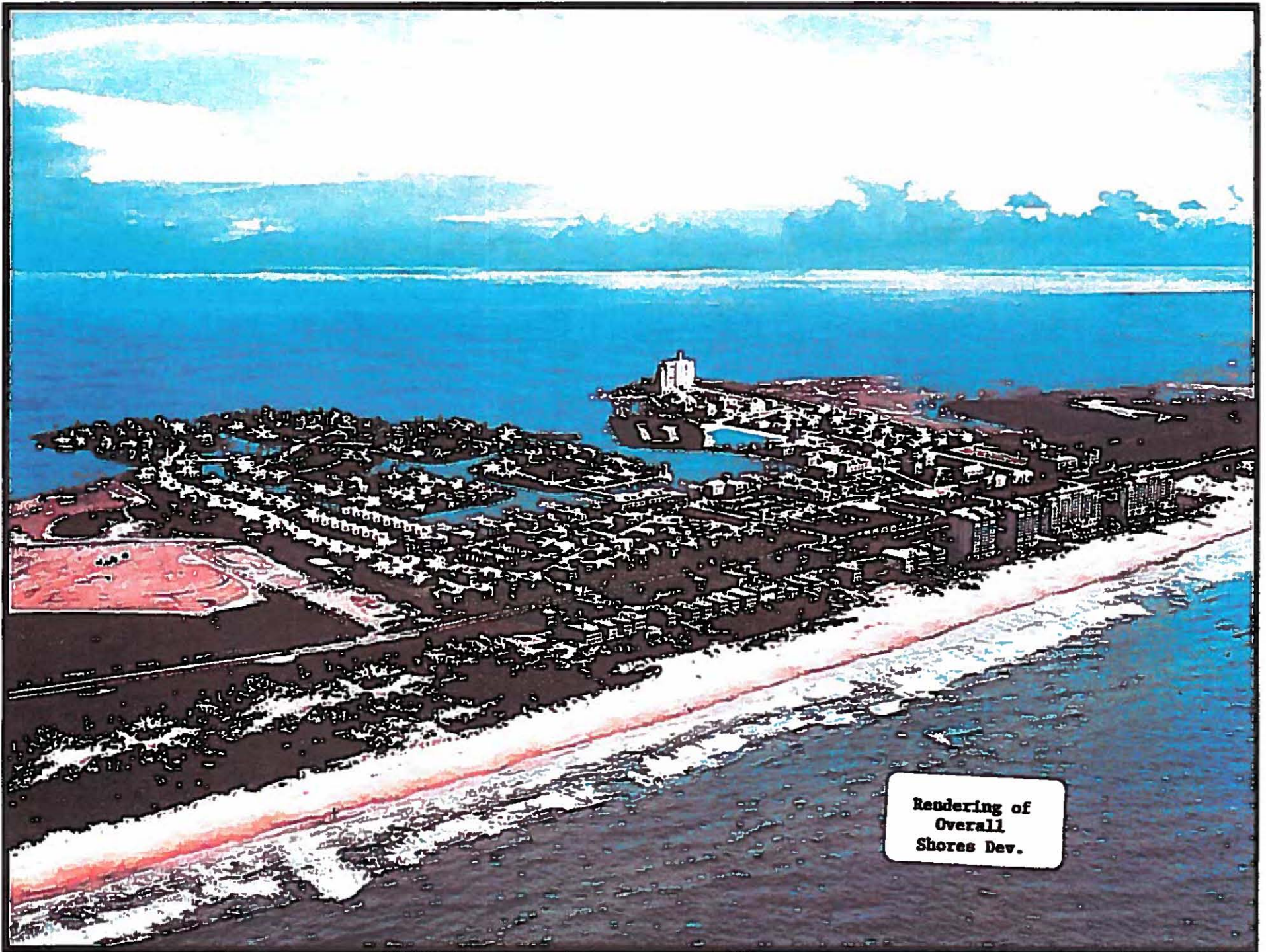
- 1) A grading and layout plan showing proposed contours for the final grade.
- 2) The floor plan(s) and elevation(s) of the structure proposed to be constructed or expanded.
- 3) Photographs of the site which clearly show the current location of the vegetation line & existing dunes on the tract.
- 4) Copy of the Flood Rate Map showing the location of the subject property.
- 5) Copy of the Historical Erosion Rate Map as determined by the Univ. of Texas @ Austin, Bureau of Economic Geology.
- 6) \$180 application fee.

YOUR APPLICATION IS NOT COMPLETE UNLESS ALL INFORMATION REQUESTED ABOVE IS SUBMITTED. FOR APPLICATIONS WHICH REQUIRE BEACH AND DUNE TASK FORCE REVIEW, 21 COPIES WILL BE REQUIRED.

All other application submissions require only three (3) copies of the complete information.



CURRENT PICTURE
OF
THE SHORES

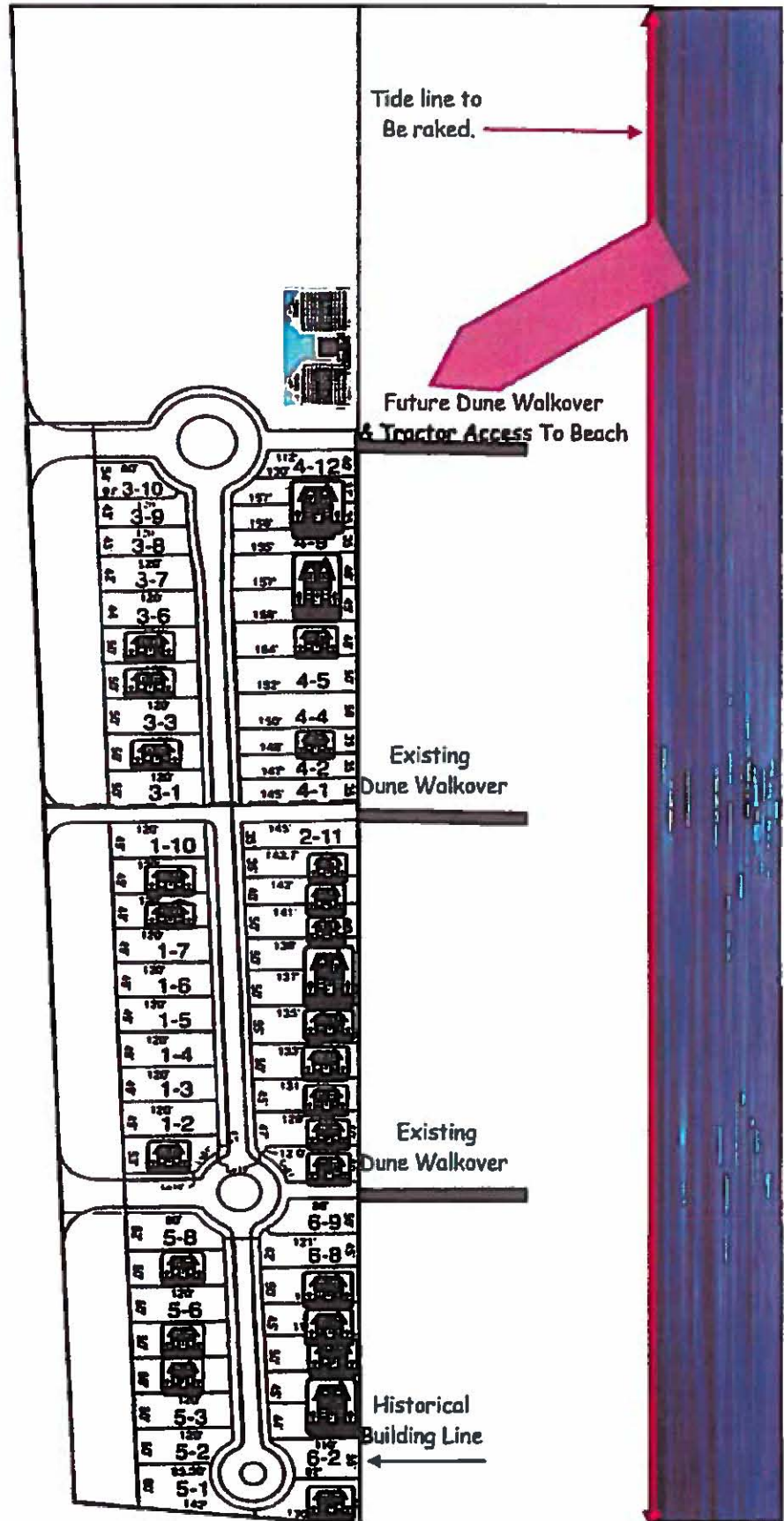
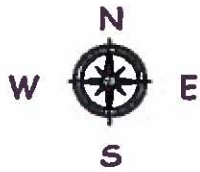


Rendering of
Overall
Shores Dev.

Shores Beach Raking Data

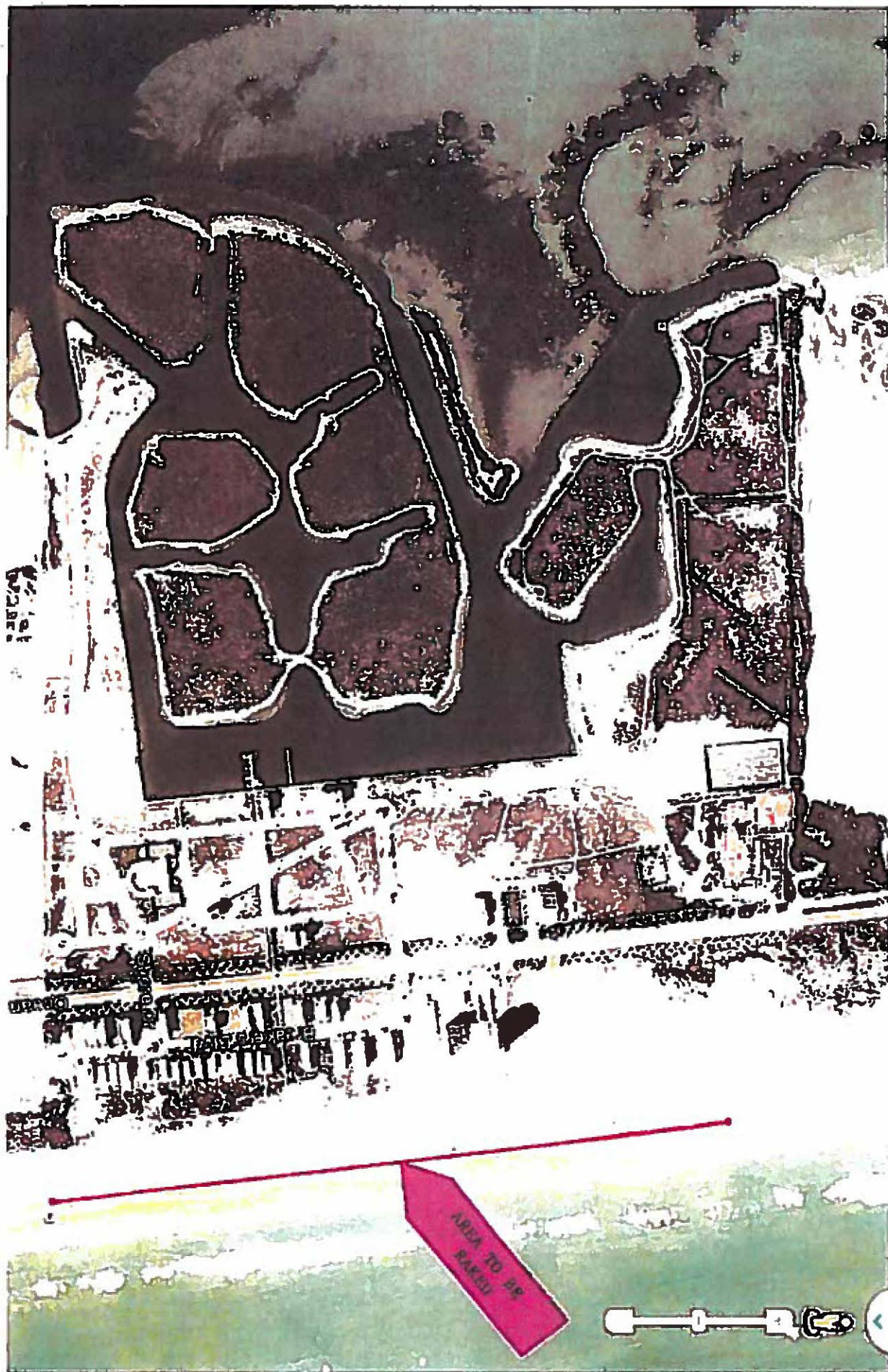
- The equipment used to rake the Beach will be a John Deer four-wheel drive tractor with a six foot hay rake. See attached picture.
- The operator of the tractor is a well-qualified operator with considerable experience in operation of the equipment. He will be knowledgeable in pedestrian safety and the safety and concern for the nesting turtles. If a turtle or turtle track of a nesting turtle is spotted, the raking will stop and the Turtle Patrol will be called. Since the raking will take place early in the morning, the operator will be a value asset to the Turtle Patrol in spotting nesting turtles and their tracks.
- Beach raking will take place first thing in the morning starting at 7:30 a.m. and should be completed by 8:30 a.m. or before. Since raking will be done daily, it should only take one or two passes to clean the high tide line under normal circumstances.
- Tractor access to beach will be through a small path over the dunes located at the future dune walkover site, as shown on the enclosed plat. The access path will continually be covered with hay to provide stability and prevent eroding of the dunes.
- The raking will be only supplemental to the cities normal raking schedule. If the city is raking the beach, then the Shores will suspend raking that day.
- The City will continue to operate as it does now providing trashcans, debris removal, excess seaweed removal, beach raking on normal schedule, beach patrol, and emergency services.
- Shores will only provide additional beach raking at no cost to the town.
- Seaweed that is raked up by The Shores will be placed on the fore dune within 20 feet of the line of vegetation. Any non-organic material gathered in the raking process will be removed by hand and disposed of properly.
- The line of vegetation is clearly visible on the enclosed photographs and is approximately 200' from the mean tide line.
- The Shores beach raking will have no impact on the public use of the beach, nesting turtles, sand movement, sand dunes, or vegetation. The only impact will be a clean sparkling beach and enhancement of the fore dune.

The Shores
Beachfront & 2nd Tier Beachfront Property



Gulf of Mexico





PROPERTY DESCRIPTION

878

v. 1258 p. 878

EXHIBIT A TO SPECIAL WARRANTY DEED
(WITH VENDOR'S LIEN)
THE RUTH PAGE FOUNDATION AND RUTH PAGE FISHER
AS TRUSTEE OF THE RESIDUARY TRUST
UNDER WILL OF THOMAS HART FISHER, DECEASED (GRANTOR)
AND RICHARD FRANKIE AND DENNIS FRANKIE (GRANTEES)

BEING 247.74 Acres, more or less, on South Padre Island in Cameron County, Texas, being a part of that certain tract commonly referred to as the "South 2,000 Acres of the King 4,000 Acres" lying North of the parallel of North Latitude 26° 09' 47"; the said "South 2,000 Acres" found to have a total area of 1,806.62 Acres according to the Deed recorded in Volume 938 on Page 895, and the said 247.74 Acres, thereof, being the total area of two tracts which are hereinafter more particularly located and described as Tract No. 1 containing 53.13 Acres, more or less, and Tract No. 2, containing 194.61 Acres, more or less, and being the same tracts called Parcel One in the Final Judgment of Partition dated November 10, 1973 and recorded in Volume 1044 on Page 765 of the Cameron County Deed Records;

TRACT NO. 1 BEACH SIDE

53.13 Acres

BEING 53.13 Acres, more or less, located in the Southern portion of the above mentioned 1,806.62 Acres on South Padre Island and lying between the centerline of Texas State Park Road No. 100 and the line of Mean Higher High Tide of the Gulf of Mexico; and being more particularly located and described as follows:

BEGINNING at the Southwest corner of this tract located at a bolt at the Place of Intersection of the South boundary of the said 1,806.62 Acres with the centerline of Texas State Park Road No. 100;

THENCE with the centerline of Texas State Park Road No. 100, North 6° 47' 04" West, a distance of 2,718.84 feet to a bolt for the Northwest corner of this tract;

THENCE North 89° 30' 30" East, along a line for the North boundary of this tract, at 100.61 feet a 4 1/2 x 4 1/2" concrete monument, marked "C" and having thereon a 1" diameter aluminum cap stamped "C + A Survey" for the intersection of this boundary with the East Right-of-Way line of Texas State Park Road No. 100, and continuing an additional 517.77 feet to a concrete monument and continuing therefrom an approximate distance of 243.86 feet for a total distance of approximately 857.24 feet to an intersection with the line of Mean Higher High Tide of the Gulf of Mexico for the Northeast corner of this tract;

THENCE with the meander of the line of Mean Higher High Tide of the Gulf of Mexico approximately South 6° 23' 00" East, 1,624.90 feet; South 8° 12' 08" East, 800.25 feet; South 5° 06' 58" East, 891.27 feet to an intersection with the South boundary of the said 1,806.62 Acres for the Southeast corner of this tract;

THENCE with the South boundary of the said 1,806.62 Acres Tract, South 89° 24' 01" West, at approximately 214.56 feet a 4 1/2 x 4 1/2" concrete monument and continuing an additional 528.49 feet to a concrete monument for the Place of Intersection of this boundary with the East Right-of-Way line of Texas State Park Road No. 100, and continuing therefrom an additional distance of 100.61 feet, for a total distance of approximately 843.66 feet to the PLACE OF BEGINNING;

Vol. 1258-879

CONTAINING, according to the dimensions herein stated, a total area of 33.13 Acres, more or less; of which 6.24 Acres are in the Eastern one-half of the Right-of-Way of Texas State Park Road No. 100, for a net area of 46.69 Acres, more or less.

TRACT NO. 2

BEING 194.61 Acres, more or less, located in the Southern portion of the above mentioned 1,808.62 Acres on South Padre Island, and lying between the centerline of Texas State Park Road No. 100 and the line of Mean Higher High Tide of the Laguna Madre, and being more particularly located and described as follows:

BEGINNING at the Southeast corner of this tract located at a bolt in the Place of Intersection of the South boundary of the said 1,808.62 Acres with the centerline of Texas State Park Road No. 100;

THENCE along the South line of this tract South 89° 24' 01" West, for a distance of 2,377.69 feet to a concrete monument and a point for a corner; said point being on the Easterly line of Mean Higher High Tide of the Laguna Madre as established on July 23, 1921;

THENCE along said Easterly line of Mean Higher High Tide of the Laguna Madre as follows:

North 25° 55' 51" West,	110.60 feet to a concrete monument;
South 73° 42' 58" West,	594.26 feet to a concrete monument;
North 29° 18' 16" East,	324.93 feet to a concrete monument;
South 45° 20' 38" West,	408.76 feet to a concrete monument;
South 89° 24' 01" West,	288.49 feet to a concrete monument;
North 4° 13' 32" East,	641.22 feet to a concrete monument;
North 11° 39' 38" East,	428.13 feet to a concrete monument;
North 38° 49' 23" East,	476.26 feet to a concrete monument;
North 69° 10' 32" East,	1,034.33 feet to a concrete monument;
North 37° 11' 17" West,	713.77 feet to a concrete monument;
North 12° 04' 48" East,	301.24 feet to a concrete monument;
North 48° 10' 39" West,	350.76 feet to a concrete monument;
South 57° 32' 39" West,	219.48 feet to a concrete monument;
North 20° 24' 48" West,	620.31 feet to a concrete monument;

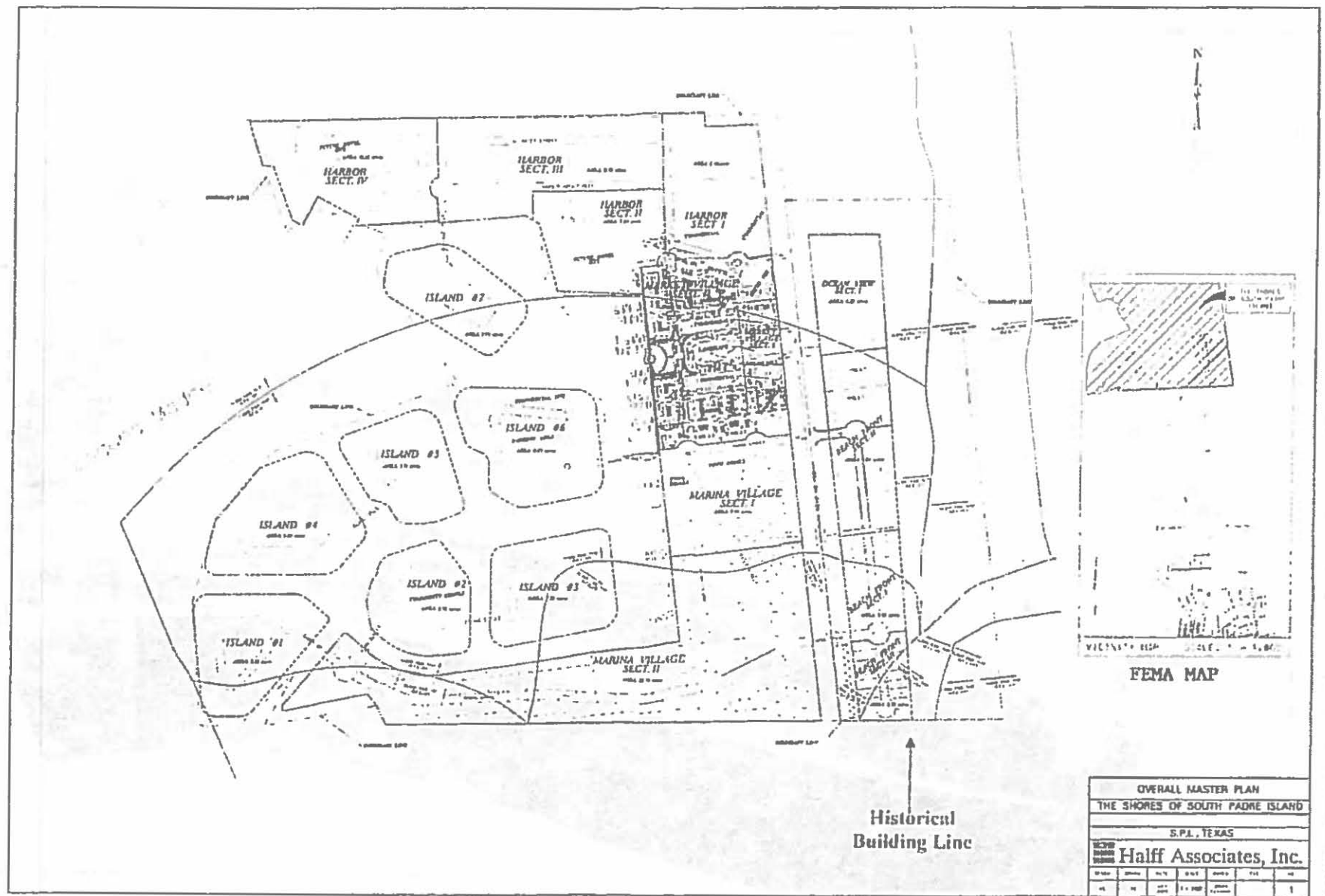
Said point being on the Northerly line of this tract;

THENCE along the Northerly line of this tract, North 89° 30' 30" East, at 2,461.73 feet a 4 1/2 x 4 1/2 concrete monument marked "C" and having thereon a 1" diameter aluminum cap stamped "C + A Survey," for the Place of Intersection of this boundary with the west Right-of-Way line of Texas State Park Road No. 100 and continuing therefrom an additional distance of 100.61 feet to a bolt in the centerline of Texas State Park Road No. 100 and the Northeast corner of this tract;

THENCE along the centerline of Texas State Park Road No. 100, South 6° 47' 04" East, for a distance of 2,162.47 feet to the PLACE OF BEGINNING;

CONTAINING, according to the dimensions herein stated, a total area of 194.61 Acres, more or less; which 7.26 Acres are in the Eastern one-half of the Right-of-Way of Texas State Park Road No. 100, for a net area of 187.35 Acres, more or less.

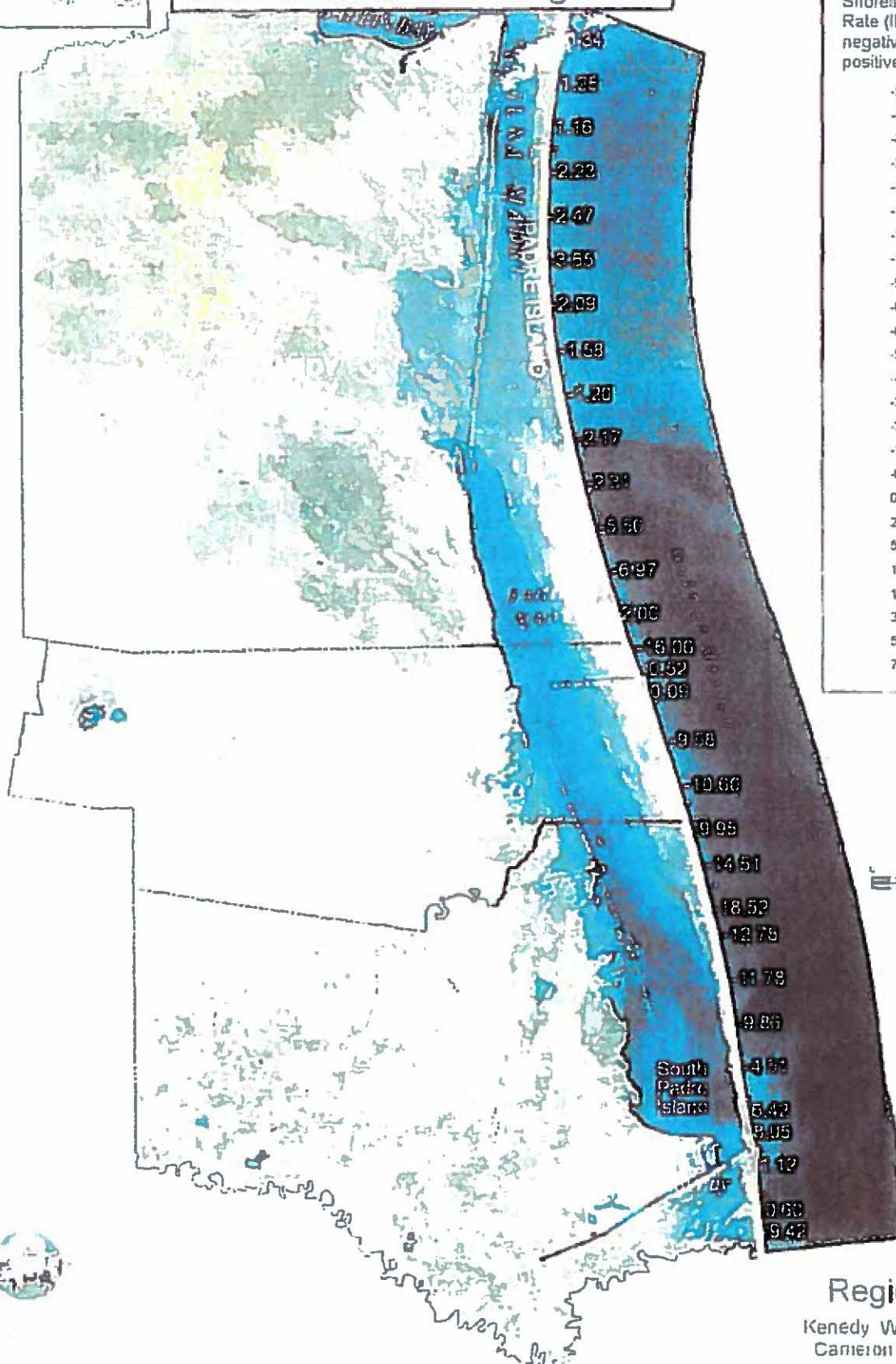
And LET IT BE KNOWN that certain tract of land lying within the State of Texas Highway right-of-way traversing Tracts 1 and 2 as more particularly described and set out in Deed dated June 1, 1971, recorded in Volume 913, Page 12, Deed Records of Cameron County, Texas.



Critical Erosion in Region V

Average Annual
Shoreline Change
Rate (linear ft/yr)
negative=retreat,
positive=advance

-54.37 - -44.22
-41.21 - -31.52
-31.51 - -20.71
-20.70 - -15.08
-15.97 - -14.18
-14.17 - -12.55
-12.54 - -11.09
-11.08 - -9.79
-9.78 - -8.18
-8.17 - -6.68
-6.67 - -5.65
-5.64 - -4.64
-4.63 - -3.60
-3.59 - -2.61
-2.60 - -1.67
-1.66 - -0.88
-0.67 - -0.54
0.55 - 2.12
2.13 - 5.25
5.26 - 11.50
11.51 - 19.71
19.72 - 32.81
32.82 - 51.74
51.75 - 70.14
70.15 - 109.03



Region V

Kenedy Wilacy and
Cameron Counties



The Shores at South Padre, Texas
 COURTESY OF THE ARCHITECTURAL FIRM OF THE SHORES AT SOUTH PADRE, TEXAS. L.S. DESIGN GROUP, INC. 2000. L.S. DESIGN GROUP, INC. 2000.

FRANKE REALTORS

Dennis A. Franke dennis@frankerealtors.com
Kevin C. Franke kevin@frankerealtors.com

Richard J. Franke richardsr@frankerealtors.com
Richard J. Franke, Jr. richardjr@frankerealtors.com

May 17, 2012

Lloyd Mullins, Supervisor
Department of the Army
Galveston District, Corps of Engineers
Corpus Christi Regulatory Field Office
Attn: Regulatory Branch
5151 Flynn Parkway, Suite 306
Corpus Christi, Texas 78411-4318

Dear Mr. Mullins:

I am writing to you with regard to the Shores Development located on South Padre Island.

The Shores encompasses in approximately $\frac{1}{2}$ a mile of the Island from Gulf to Bay, just North of the Convention Center. The Shores is a Planned Development District (PDD) with its own Standard and Specifications, Design Code, Rules & Regulations, which are unique to the development and different than The Town.

The Shores does not allow seawalls; we use the natural dunes as protection from severe weather coming off the gulf; the building line is approximately 450' west of the water line; we nurture and guard our dune structure which is ecstatically pleasing and is our barrier from the sea.

The starting price for a house or condominium in The Shores is almost \$1,000,000 and ranges up to \$6,000,000 to \$7,000,000. We have a very discriminating market that can go anywhere in the world, so they do not have to come to South Pare Island but, they will come if we have the proper environment and the type of development that they demand.

The Town of South Padre Island has decided for some unknown reason to only clean the beach on an infrequent basis. Consequently, the beaches are littered with seaweed and other debris, making them very undesirable for anyone wanting to go to the beach. The beaches in general are now not only unsightly, but they smell, are insect ridden and totally unacceptable for a family and children to play in the sand, enjoy the surf or just take a walk.

phone (800) 447-4753 / (956) 761-2606 / fax 761-2650 / website: frankerealtors.com
8605 padre blvd, south padre island, texas 78597

In order to alleviate this situation, The Shores is asking for a permit to be allowed to supplement the Town's infrequent cleaning of the beach by allowing us to do the following:

1. ~~On a one-time basis, relocate the debris piles that have been located in a hazardous way on the beach into a relatively uniform berm line which will translate into a sand dune that will provide protection in time of severe weather.~~
2. Be allowed to rake the water line on a periodic basis to pick up the seaweed and debris that come in daily and locate the seaweed into berm line. By this method, we will clean the beach along the water line and take away the debris as it comes in and not let it accumulate so the removal will be simple and efficient.

The method that the Town is currently using allows the seaweed and debris to stalk up sometimes knee deep and become embedded into the sand so when it is removed, a great deal of beach sand must be moved with it.

With this method of regular cleaning at the water line, there would be little need to rake any of the sand between the water line and the dune structure so as not to loosen or cause additional wind erosion.

Please review our request and see if it can be accomplished through a Nation Wide Permit. I very much appreciate your assistance in this matter, as it is at a point that our main attracting force, the Beach is no longer attracting visitors and potential buyers. Conversely, it is driving them away as they have no desire to be on an unkept beach; there are lots of other places they can go. We are not asking for any financial assistance or funding, The Shores Association will pay all costs.

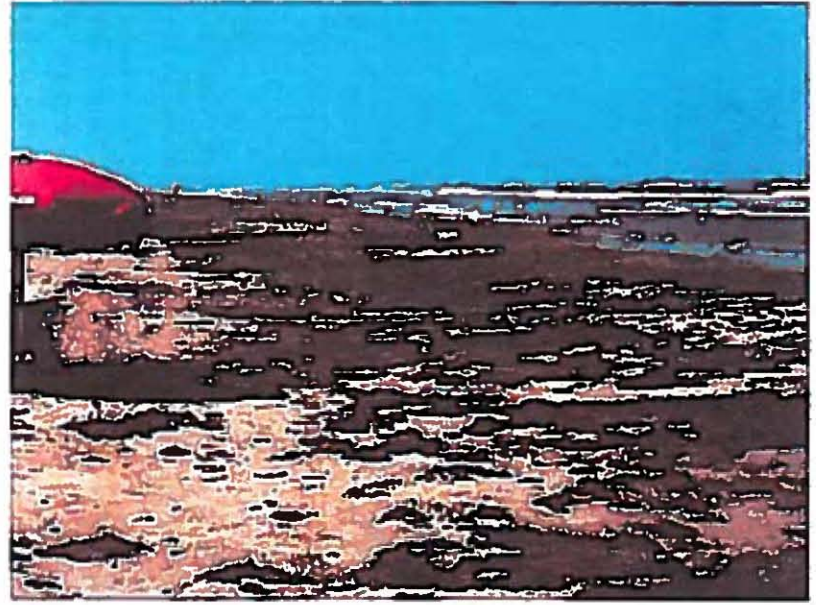
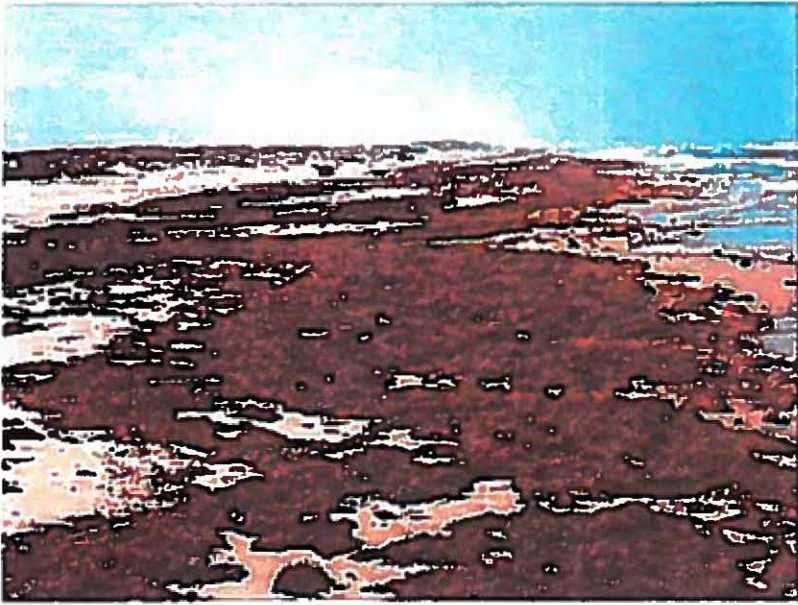
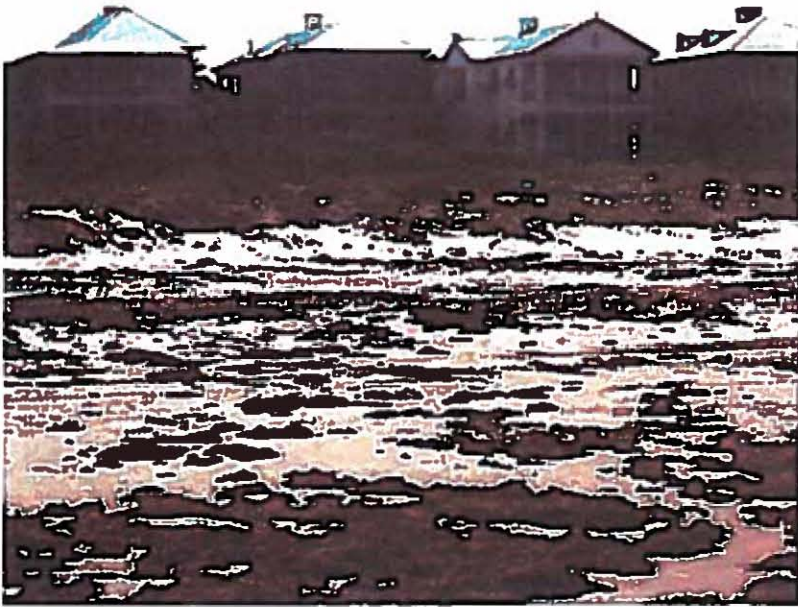
I look forward to hearing from you.

Sincerely yours,



Dennis A. Franke

DAF/ce





DEPARTMENT OF THE ARMY
CORPUS CHRISTI REGULATORY FIELD OFFICE
5151 FLYNN PARKWAY, SUITE 308
CORPUS CHRISTI, TEXAS 78411

August 20, 2012

REPLY TO
ATTENTION OF:

Corpus Christi Regulatory Field Office

SUBJECT: File No. SWG-2007-00818; Approved Jurisdictional Determination

Dennis Franke
Franke Realtors
8605 Padre Boulevard
South Padre Island, TX 78579

Dear Mr. Franke:

This is in regard to your request, dated May 17, 2012, in which you requested that we review the jurisdictional status of the proposed collection and removal of sargassum from approximately one-half mile of beach within the Shores Development. The project site is located on an approximate one-half mile portion of beach, interfacing with the Gulf of Mexico, in South Padre Island, Cameron County, Texas.

We have determined that the beach adjacent to the Gulf of Mexico is a water of the United States, approximately to the base of the foredune area. The Corps of Engineers regulates the discharge of dredged and/or fill material into waters of the United States under Section 404 of the Clean Water Act. The placement of dredged or fill material into these waters of the U.S. require a Department of the Army (DA) permit. However, since the activity and method you described in your May 17, 2012 letter and our July 11, 2012 meeting on site involves the removal of sargassum above the mean high tide line without disturbing the sand below it, and placing the sargassum in upland areas, a DA permit is not required for this activity. Please be aware that a DA permit is required for any discharge of fill material in waters of the U.S. Fill material is defined as material placed or displaced in waters of the United States where the material has the effect of replacing any portion of a water of the United States with dry land; or changing the bottom elevation of any portion of a water of the United States, as per 33 CFR 323.2(e)(1).

This determination is an approved jurisdictional determination; this approved determination is valid for 5 years from the date of this letter unless new information warrants a revision of the determination prior to the expiration date. Corps determinations are conducted to identify the limits of the Corps' Clean Water Act jurisdiction for particular sites. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331.5. Also enclosed are a combined Notification of Administrative Appeal Options and Process (NAP) and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA to the Southwestern Division Office at the following address:

Mr. Elliott Carman
Regulatory Appeals Officer
Southwest Division USACE (CESWD-PD-O)
1100 Commerce Street, Suite 831
Dallas, Texas 75242-1317
Telephone: 469-487-7061; FAX: 469-487-7199

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit the RFA form, it must be received at the above address by October 15, 2012. It is not necessary to submit an RFA form to the Division office if you do not object to this determination.

Please note, this is **not authorization to begin work in jurisdictional areas**. If you have any questions concerning this matter, please contact Reagan Richter at the letterhead address or by telephone at 361-814-5847, ext. 1005. To assist us in improving our service to you, please complete the survey found at <http://per2.nwp.usace.army.mil/surveyv.html>.

FOR THE DISTRICT COMMANDER:



Lloyd Mullins, Supervisor
Corpus Christi Regulatory Field Office

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Franke Realtors		File #: SWG-2007-00818	Date: 20-Aug-12
Attached is:		See Section below	
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of Permission)	B	
	PERMIT DENIAL	C	
X	APPROVED JURISDICTIONAL DETERMINATION	D	
	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/> Or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved jurisdictional determination (JD) or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Lloyd Mullins, Supervisor
U.S. Army Corps of Engineers, CESWG-PE-RCC
Corpus Christi Regulatory Field Office
5151 Flynn Parkway, Suite 306
Corpus Christi, Texas 78411-4318
Telephone 361-814-5847; FAX 361-814-5912

If you only have questions regarding the appeal process you may also contact:

Elliott Carman, Appeal Review Officer
US Army Engineer Division, Southwestern
1100 Commerce Street, Suite 831
Dallas TX 75242-1317
Telephone: 469-487-7061; FAX: 469-487-7189
Email: Elliott.n.carman@usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or authorized agent.

Date:

Telephone number:

Dennis A. Franke
Richard J. Franke, Jr.



Richard J. Franke
Kevin C. Franke

January 24, 2017

Brandon Hill, Shoreline Management Director
City of South Padre Island Shoreline Management
4601 Padre Boulevard
South Padre Island, Texas 78597

E-mail: bhill@myspi.org

RE: Beach Dune Application for Shores Access To Beach

Dear Brandon,

Please find enclosed 3 copies of the Beach Dune Application for The Shores to access the Beach for Beach Maintenance.

The check in the amount of \$480.00 has been requested and will be delivered later this week.

After you have reviewed the application, please give me a call if you have any questions.

Sincerely yours,

A handwritten signature in blue ink, appearing to be "DAF", written over a horizontal line.

Dennis A. Franke

DAF/ce

Enclosure

Beach & Dune Application

City of South Padre Island
4601 Padre Blvd.
South Padre Island, TX 78597
Phone (956) 761-3044
Fax (956) 761-3898

Site for Proposed Work

Legal Description SHORES 1/2 MILE OF BEACH Physical Address 8500 PADRE BOULEVARD

Property Owner Information

Name SHORES OWNER'S ASSOCIATION AND PADRE SHORES II, LLC
Mailing Address 8605 PADRE BOULEVARD
City SOUTH PADRE ISLAND State TEXAS
Zip 78597 Country CAMERON COUNTY, USA
Phone Number 956-761-0044
Fax Number 956-761-2650
E-Mail Address DENNIS@FRANKEREALTY.COM

Applicant / Agent for Owner

Name DENNIS A. FRANKE
Mailing Address 8605 PADRE BOULEVARD
City SOUTH PADRE ISLAND State TEXAS
Zip 78597 Country CAMERON COUNTY, USA
Phone Number 956-761-0044
Fax Number 956-761-2650
E-Mail Address DENNIS@FRANKEREALTY.COM

I / We, owners of the above-mentioned property, authorize the applicant stated above, to act in my behalf in order to acquire a Beach and Dune permit for the construction proposed below. (owner initials here _____)

Owner(s) Signature(s) DENNIS FRANKE
Date 1/18/2017

Applicant Signature DENNIS FRANKE
Date 1/18/2017

Project Description

Describe with as much detail as possible the construction proposed. If more room is needed, please include an additional page. Include the number of habitable units, amenities, swimming pools, fences, kinds of fences, whether footings and/or retaining walls will be installed, and locations of proposed landscaping and parking.

There will be no construction. The Shores Development, Inc. is requesting a Beach Dune Permit to access the Beach in front of the Shores Master Planned Development (approx. 1/2 mile of Beach) to provide, supplemental to the city, Beach raking of the water line (tide line) to remove seaweed and other organic materials that washes in with the tide and deposit that material on the fore dune line along the Beach to assist in Dune Development and provide a clean Beach. The only area to be raked will be the tide line and no Beach sand will be significantly disturbed or removed.

Total Square Footage of Footprint of Habitable Structure: N/A
Total Area of Impervious Surface (i.e. retaining walls, walkways, drives, patios, etc.): N/A
Percentage Impervious Surface [(impervious surface / habitable footprint) * 100]: N/A

Please Note: the percentage of impervious surface cannot exceed 5% in an eroding area.

Approximate Duration of Construction: N/A REGULAR BEACH CLEANING

Financial Plan for the Removal of All Hard Structures

All properties which are allowed to build retaining walls on their property are allowed to do so with the condition that a financial plan for the removal of the retaining wall is submitted to the Public Works Department of the City of South Padre Island. Removal of the retaining wall at the owner's expense may be required if/once the retaining wall comes into regular contact with wave action for twenty (20) out of thirty (30) consecutive days. The City accepts the submission of a Retaining Wall Covenant, or other financial guarantees insuring the removal of the retaining wall if the required conditions are met.

Type of Plan Submitted

N/A

Date Submitted

Drainage

Describe the impact that the proposed construction will have on the natural drainage pattern on the site and adjacent lots

☒ No change in the drainage on site.

☐ The proposed construction will change the grading and the drainage on the subject property. (An explanation will be required detailing where the water will drain.)

Explanation / Other Information

Impacts to Beach / Dune System

Answer each question as completely as possible in narrative form.

1. What damage will this proposed construction have on the dune vegetation located at the project site?

☒ No damage to dune vegetation whatsoever.

☐ The proposed construction will impact _____ % of the dune vegetation site. (An explanation of the "impact" will be required.)

☐ The proposed construction will require the removal and relocation of _____ % of the dune vegetation on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information

2. How will the proposed construction alter the dune size/shape at the project site?

☒ No change to dune size/shape whatsoever.

☐ The proposed construction will change _____ % of the size/shape of dunes on site. (Details will be required.)

☐ The proposed construction will require the removal and relocation of _____ % of the dunes on site. (The submission of a mitigation plan will be required.)

Explanation / Other Information

3. How will the proposed construction change the hydrology of the dunes at the project site?

☒ No change to dune hydrology whatsoever.

☐ The proposed construction will impact dune hydrology on site. (Details will be required.)

Explanation / Other Information

4. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse effects on dunes and dune vegetation.

N/A

5. Describe alternatives to the proposed construction or method of construction which will cause fewer or no adverse impairment to beach access.

N/A

Mitigation Plan

Describe the methods which you will use to avoid, minimize, mitigate and/or compensate for any adverse effects on dunes or dune vegetation.

Explanation / Other Information: THE MITIGATION RESULTS ARE A MUCH CLEANER AND DESIRABLE BEACH AND
AND THE ENHANCEMENT OF THE FORE DUNE

Financial Plan for Dune Mitigation:

If required by the City Council, a financial guarantee (irrevocable letter of credit or a performance bond, etc.) may be necessary to insure the mitigation of dunes/dune vegetation takes place as proposed and required of the applicant.

Type of Plan Submitted N/A Date of Submission _____

Checklist of Additional Required Application Information

An accurate map, plat or site plan showing:

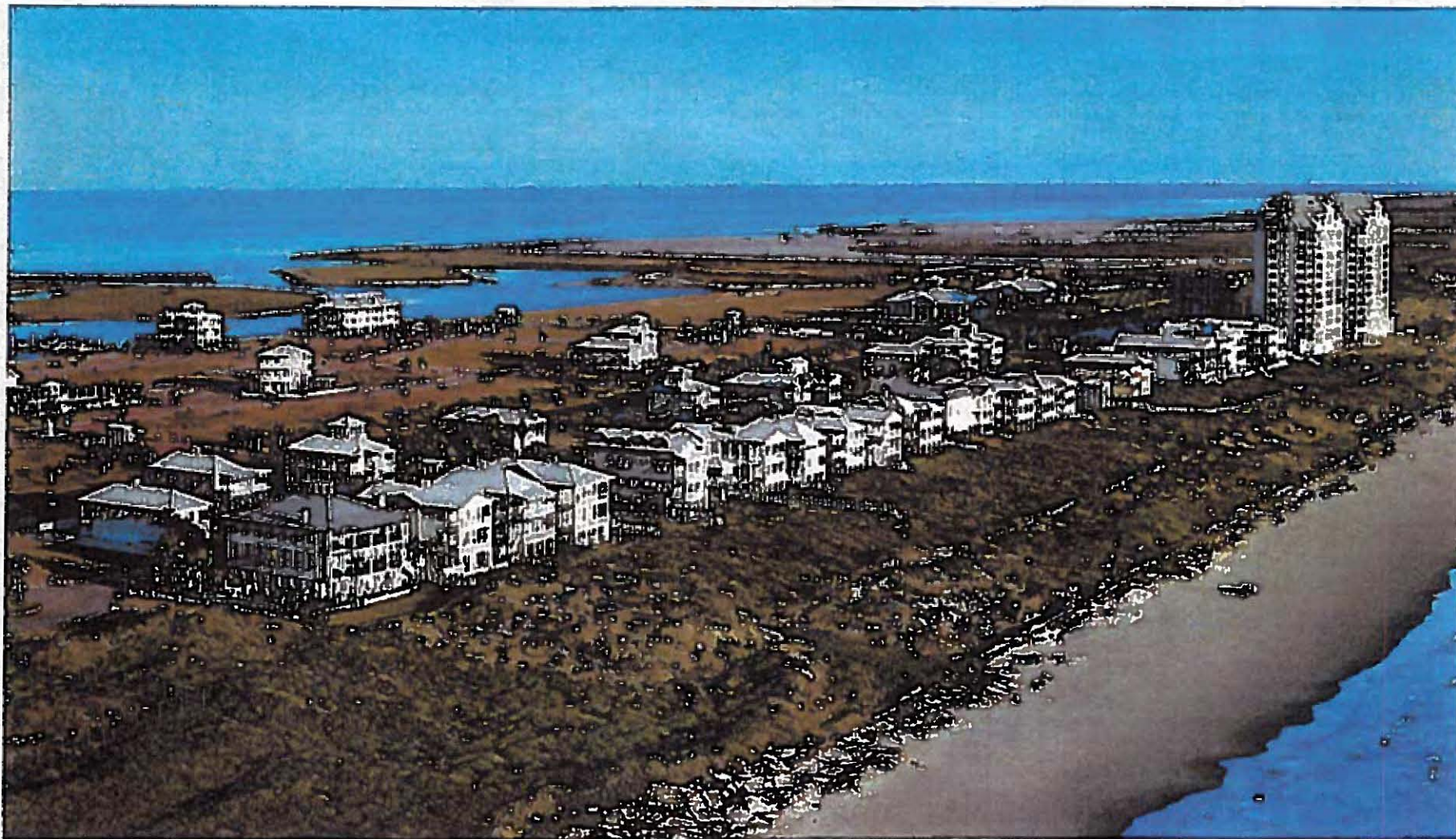
- ☒ 1. Legal description of the property (lot, block, subdivision) and the immediately adjoining property.
- ☒ 2. Location of all existing structures - including the habitable and inhabitable structures, swimming pools, decks, fences, parking areas, landscape areas, etc.
- ☒ 3. Location of the Historical Building Line on the subject property and the extension of the line on the properties immediately adjoining the subject property to the north and to the south.
- ☐ 4. Location and elevation of existing retaining walls - both on the subject property and those properties immediately adjoining the subject property to the north and to the south.
- ☐ 5. Location of proposed structure(s) - if proposing the construction of a retaining wall, please also include the proposed elevation of the retaining wall.
- ☐ 6. Location of proposed driveways, parking areas (showing the # of proposed parking spaces) and landscape areas.
- ☒ 7. Location of all existing and proposed beach access paths and/or dune walkovers.
- ☐ 8. Location and extent of any man-made vegetated mounds, restored dunes, fill activities, or any other pre-existing human modifications on the tract.
- ☒ 9. Topographical survey of the site identifying all elevations, existing contours of the project area (including dunes and scales) and the proposed contours of the final grade.

Other required application information:

- ☐ 1. A grading and layout plan showing proposed contours for the final grade.
- ☐ 2. The floor plan(s) and elevation(s) of the structure proposed to be constructed or expanded.
- ☒ 3. Photographs of the site which clearly show the current location of the vegetation line & existing dunes on the tract within the last 6 months.
- ☒ 4. Copy of the Flood Rate Map showing the location of the subject property. (FEMA.GOV - Map Search)
- ☒ 5. Copy of the Historical Erosion Rate Map as determined by the University of Texas at Austin, Bureau of Economic Geology (beg.utexas.edu)
- ☒ 6. Application Fee of \$180 for Staff Approved applications and \$300 for City Council Approved applications.

Your application is not complete unless all information requested above is submitted.

Application submissions require only three (3) copies of the complete information plus a digital copy.



CURRENT PICTURE
OF
THE SHORES

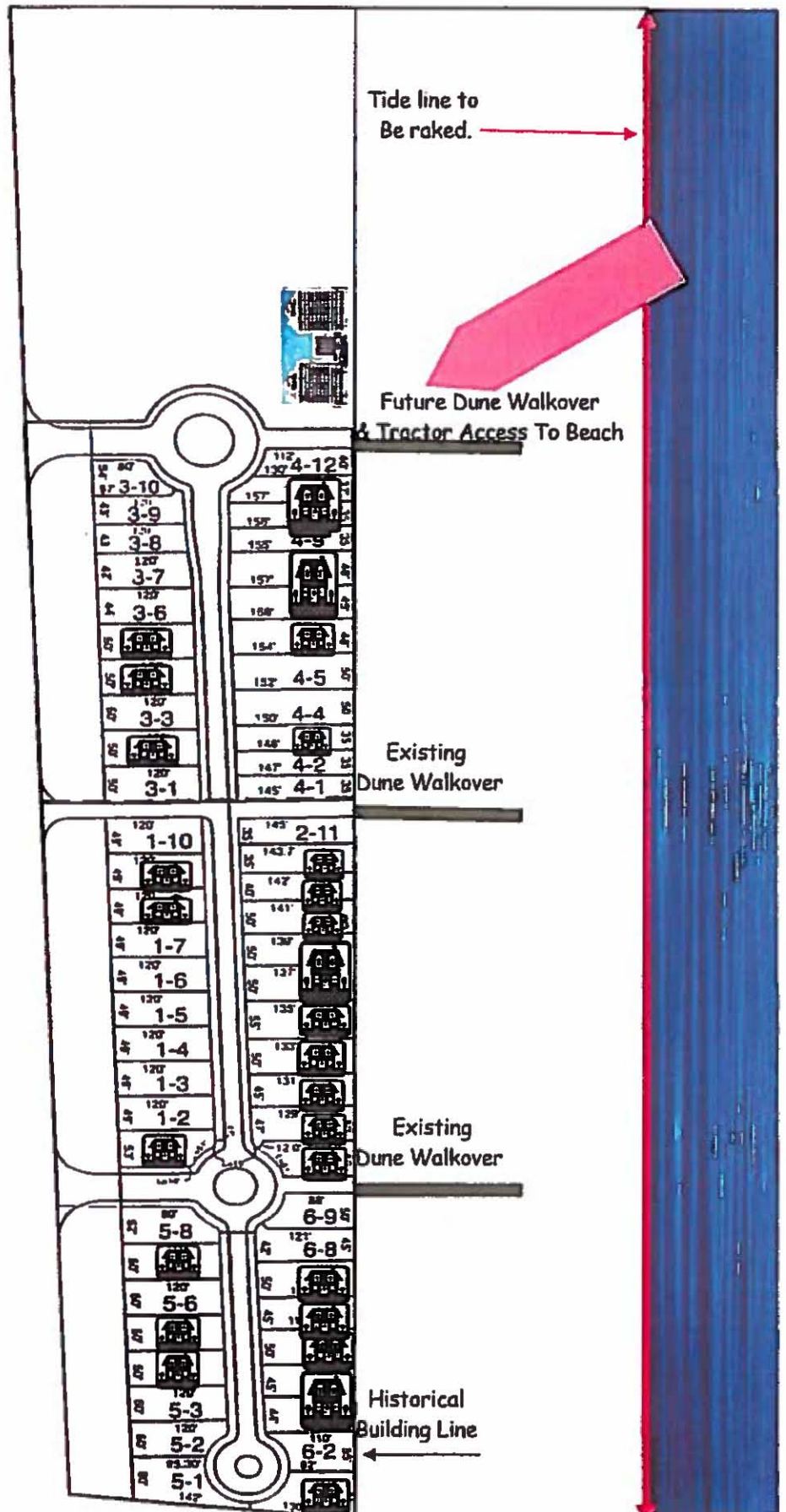


Rendering of
Overall
Shores Dev.

Shores Beach Raking Data

- The equipment used to rake the Beach will be a John Deer four-wheel drive tractor with a six foot hay rake. See attached picture.
- The operator of the tractor is a well-qualified operator with considerable experience in operation of the equipment. He will be knowledgeable in pedestrian safety and the safety and concern for the nesting turtles. If a turtle or turtle track of a nesting turtle is spotted, the raking will stop and the Turtle Patrol will be called. Since the raking will take place early in the morning, the operator will be a value asset to the Turtle Patrol in spotting nesting turtles and their tracks.
- Beach raking will take place first thing in the morning starting at 7:30 a.m. and should be completed by 8:30 a.m. or before. Since raking will be done daily, it should only take one or two passes to clean the high tide line under normal circumstances.
- Tractor access to beach will be through a small path over the dunes located at the future dune walkover site, as shown on the enclosed plat. The access path will continually be covered with hay to provide stability and prevent eroding of the dunes.
- The raking will be only supplemental to the cities normal raking schedule. If the city is raking the beach, then the Shores will suspend raking that day.
- The City will continue to operate as it does now providing trashcans, debris removal, excess seaweed removal, beach raking on normal schedule, beach patrol, and emergency services.
- Shores will only provide additional beach raking at no cost to the town.
- Seaweed that is raked up by The Shores will be placed on the fore dune within 20 feet of the line of vegetation. Any non-organic material gathered in the raking process will be removed by hand and disposed of properly.
- The line of vegetation is clearly visible on the enclosed photographs and is approximately 200' from the mean tide line.
- The Shores beach raking will have no impact on the public use of the beach, nesting turtles, sand movement, sand dunes, or vegetation. The only impact will be a clean sparkling beach and enhancement of the fore dune.

The Shores
Beachfront & 2nd Tier Beachfront Property



Gulf of Mexico







Shores
Google Earth
Current

PROPERTY DESCRIPTION

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EXHIBIT A TO SPECIAL WARRANTY DEED
(WITH VENDOR'S LIEN)
THE RUTH PAGE FOUNDATION AND RUTH PAGE FISHER
AS TRUSTEE OF THE RESIDUARY TRUST
UNDER WILL OF THOMAS BART FISHER, DECEASED (GRANTOR)
AND RICHARD FRANKS AND DENNIS FRANKS (GRANTEES)

BEING 247.74 Acres, more or less, on South Padre Island in Cameron County, Texas, being a part of that certain tract commonly referred to as the "South 2,000 Acres of the King 6,000 Acres" lying North of the parallel of North Latitude 26°08'47"; the said "South 2,000 Acres" found to have a total area of 1,806.62 Acres according to the Deed recorded in Volume 938 on Page 895, and the said 247.74 Acres, thereof, being the total area of two tracts which are hereinafter more particularly located and described as Tract No. 1 containing 53.13 Acres, more or less, and Tract No. 2, containing 194.61 Acres, more or less, and being the same tracts called Parcel One in the Final Judgment of Partition dated November 10, 1975 and recorded in Volume 1044 on Page 765 of the Cameron County Deed Records;

TRACT NO. 1 BEACH SIDE 53.13 Acres

BEING 53.13 Acres, more or less, located in the Southern portion of the above mentioned 1,806.62 Acres on South Padre Island and lying between the centerline of Texas State Park Road No. 100 and the line of Mean Higher High Tide of the Gulf of Mexico; and being more particularly located and described as follows:

BEGINNING at the Southwest corner of this tract located at a bolt at the Place of Intersection of the South boundary of the said 1,806.62 Acres with the centerline of Texas State Park Road No. 100;

THENCE with the centerline of Texas State Park Road No. 100, North 6° 47' 04" West, a distance of 2,718.84 feet to a bolt for the Northwest corner of this tract;

THENCE North 89° 30' 30" East, along a line for the North boundary of this tract, at 100.61 feet a 4 1/2 x 4 1/2" concrete monument, marked "C" and having thereon a 1" diameter aluminum cap stamped "C + A Survey" for the intersection of this boundary with the East Right-of-Way line of Texas State Park Road No. 100, and continuing an additional 512.77 feet to a concrete monument and continuing therefrom an approximate distance of 243.86 feet for a total distance of approximately 857.24 feet to an intersection with the line of Mean Higher High Tide of the Gulf of Mexico for the Northeast corner of this tract;

THENCE with the meander of the line of Mean Higher High Tide of the Gulf of Mexico approximately South 6° 23' 00" East, 1,024.90 feet; South 8° 12' 08" East, 800.35 feet; South 5° 06' 58" East, 831.27 feet to an intersection with the South boundary of the said 1,806.62 Acres for the Southeast corner of this tract;

THENCE with the South boundary of the said 1,806.62 Acres Tract, South 89° 24' 01" West, at approximately 214.56 feet a 4 1/2 x 4 1/2" concrete monument and continuing an additional 528.49 feet to a concrete monument for the Place of Intersection of this boundary with the East Right-of-Way line of Texas State Park Road No. 100, and continuing therefrom an additional distance of 100.61 feet, for a total distance of approximately 843.66 feet to the PLACE OF BEGINNING;

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v. 1258 of 879

CONTAINING, according to the dimensions herein stated, a total area of 33.13 Acres, more or less; of which 6.24 Acres are in the Eastern one-half of the Right-of-Way of Texas State Park Road No. 100, for a net area of 45.89 Acres, more or less.

TRACT NO. 3

BEING 194.61 Acres, more or less, located in the Southern portion of the above mentioned 1,896.62 Acres on South Padre Island, and lying between the centerline of Texas State Park Road No. 100 and the line of Mean Higher High Tide of the Laguna Madre, and being more particularly located and described as follows:

BEGINNING at the Southeast corner of this tract located at a belt at the Place of Intersection of the South boundary of the said 1,896.62 Acres with the centerline of Texas State Park Road No. 100;

THENCE along the South line of this tract South 89° 24' 01" West, for a distance of 2,377.69 feet to a concrete monument and a point for a corner; said point being on the Easterly line of Mean Higher High Tide of the Laguna Madre as established on July 23, 1981;

THENCE along said Easterly line of Mean Higher High Tide of the Laguna Madre as follows:

North 23° 55' 51" West, 110.60 feet to a concrete monument;
 South 79° 42' 38" West, 594.26 feet to a concrete monument;
 North 29° 18' 16" East, 324.92 feet to a concrete monument;
 South 45° 50' 38" West, 408.76 feet to a concrete monument;
 South 89° 24' 01" West, 200.49 feet to a concrete monument;
 North 4° 13' 12" West, 641.22 feet to a concrete monument;
 North 14° 39' 18" East, 428.12 feet to a concrete monument;
 North 38° 49' 22" East, 476.26 feet to a concrete monument;
 North 69° 10' 12" East, 1,034.22 feet to a concrete monument;
 North 37° 11' 17" West, 713.77 feet to a concrete monument;
 North 12° 04' 46" East, 301.24 feet to a concrete monument;
 North 48° 10' 39" West, 350.78 feet to a concrete monument;
 South 57° 22' 33" West, 215.48 feet to a concrete monument;
 North 20° 26' 48" West, 620.31 feet to a concrete monument;

Said point being on the Northerly line of this tract;

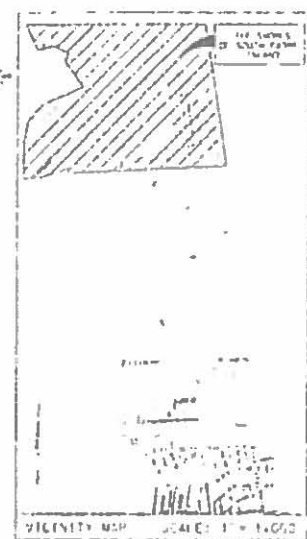
THENCE along the Northerly line of this tract, North 89° 30' 30" East, at 2,661.73 feet a 4 1/2 x 4 1/2" concrete monument marked "C" and having thereon a 1" diameter aluminum cap stamped "C + A Survey," for the Place of Intersection of this boundary with the West Right-of-Way line of Texas State Park Road No. 100 and continuing therefrom an additional distance of 100.61 feet to a belt in the centerline of Texas State Park Road No. 100 and the Northeast corner of this tract;

THENCE along the centerline of Texas State Park Road No. 100, South 6° 47' 04" East, for a distance of 3,162.47 feet to the PLACE OF BEGINNING;

CONTAINING, according to the dimensions herein stated, a total area of 194.61 Acres, more or less; which 7.26 Acres are in the Western one-half of the Right-of-Way of Texas State Park Road No. 100, for a net area of 187.35 Acres, more or less.


And LIES AND EXCEPT that certain tract of land lying within the State of Texas Highway right-of-way traversing Tracts 1 and 2 as more particularly described and set out in Deed dated June 1, 1971, recorded in Volume 913, Page 32, Deed Records of Cameron County, Texas.

Coastal Highway



FEMA MAP

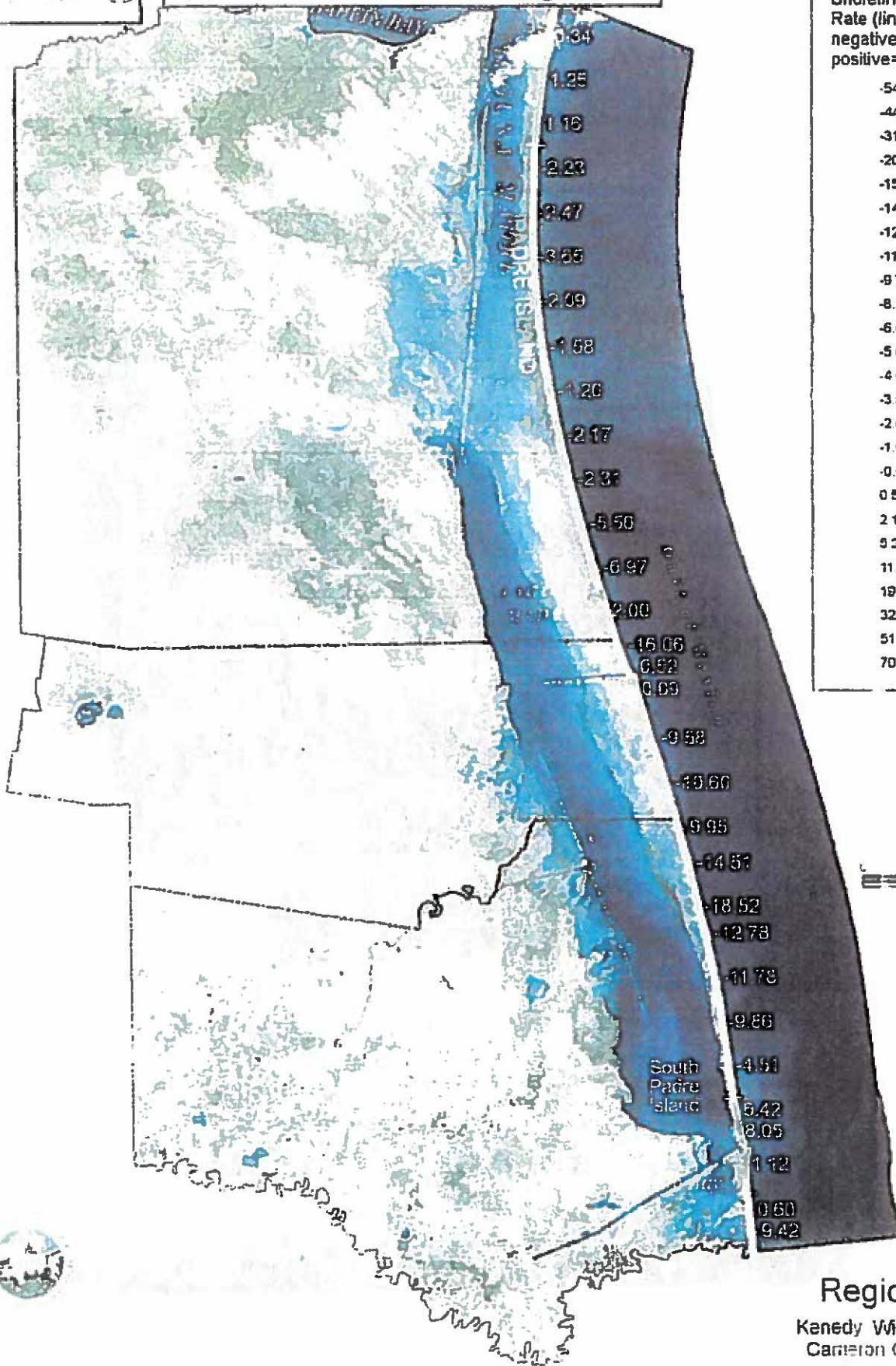
Historical
Building Line

OVERALL MASTER PLAN					
THE SHORES OF SOUTH PADRE ISLAND					
S.P.I., TEXAS					
 Halff Associates, Inc.					
DATE	PROJECT	NO. 1	NO. 2	NO. 3	NO. 4
12	11	10/1	11/1	12/1	1

Critical Erosion in Region V

Average Annual Shoreline Change Rate (linear ft/yr)
negative=retreat,
positive=advance

- 54.37 - -44.22
- 44.21 - -31.52
- 31.51 - -23.71
- 20.70 - -15.98
- 15.97 - -14.18
- 14.17 - -12.55
- 12.54 - -11.09
- 11.08 - -9.79
- 9.78 - -8.18
- 8.17 - -6.66
- 6.67 - -5.65
- 5.64 - -4.64
- 4.63 - -3.60
- 3.59 - -2.61
- 2.60 - -1.67
- 1.66 - -0.68
- 0.67 - 0.54
- 0.55 - 2.12
- 2.13 - 5.25
- 5.26 - 11.50
- 11.51 - 19.71
- 19.72 - 32.81
- 32.82 - 51.74
- 51.75 - 70.14
- 70.15 - 109.03



Region V

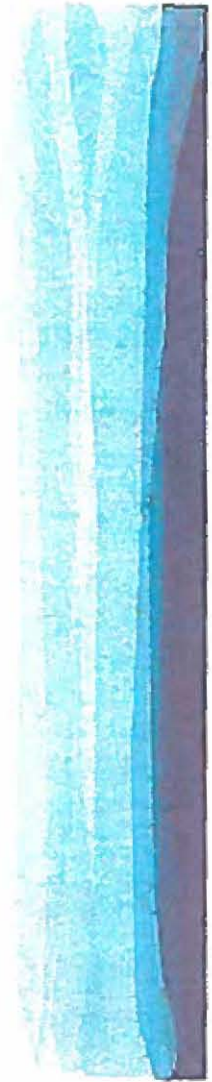
Kenedy Willacy and
Cameron Counties



L

The Shores at South Padre, Texas

LANDRY ARCHITECTURE LLC 1400 N. Shoreline Ave. Suite 100 - Ft. Worth, TX 76104-1700 - 817-335-1111 - www.landryarch.com



FRANKE REALTORS

Dennis A. Franke dennis@frankerealtors.com
Kevin C. Franke kevin@frankerealtors.com

Richard J. Franke richardsr@frankerealtors.com
Richard J. Franke, Jr. richardjr@frankerealtors.com

May 17, 2012

Lloyd Mullins, Supervisor
Department of the Army
Galveston District, Corps of Engineers
Corpus Christi Regulatory Field Office
Attn: Regulatory Branch
5151 Flynn Parkway, Suite 306
Corpus Christi, Texas 78411-4318

Dear Mr. Mullins:

I am writing to you with regard to the Shores Development located on South Padre Island.

The Shores encompasses in approximately $\frac{1}{2}$ a mile of the Island from Gulf to Bay, just North of the Convention Center. The Shores is a Planned Development District (PDD) with its own Standard and Specifications, Design Code, Rules & Regulations, which are unique to the development and different than The Town.

The Shores does not allow seawalls; we use the natural dunes as protection from severe weather coming off the gulf; the building line is approximately 450' west of the water line; we nurture and guard our dune structure which is ecstatically pleasing and is our barrier from the sea.

The starting price for a house or condominium in The Shores is almost \$1,000,000 and ranges up to \$6,000,000 to \$7,000,000. We have a very discriminating market that can go anywhere in the world, so they do not have to come to South Pare Island but, they will come if we have the proper environment and the type of development that they demand.

The Town of South Padre Island has decided for some unknown reason to only clean the beach on an infrequent basis. Consequently, the beaches are littered with seaweed and other debris, making them very undesirable for anyone wanting to go to the beach. The beaches in general are now not only unsightly, but they smell, are insect ridden and totally unacceptable for a family and children to play in the sand, enjoy the surf or just take a walk.

phone (800) 447-4753 / (956) 761-2606 / fax 761-2650 / website: frankerealtors.com
8605 padre blvd, south padre island, texas 78597

In order to alleviate this situation, The Shores is asking for a permit to be allowed to supplement the Town's infrequent cleaning of the beach by allowing us to do the following:

1. ~~On a one-time basis, relocate the debris piles that have been located in a hazardous way on the beach into a relatively uniform berm line which will translate into a sand dune that will provide protection in time of severe weather.~~
2. Be allowed to rake the water line on a periodic basis to pick up the seaweed and debris that come in daily and locate the seaweed into berm line. By this method, we will clean the beach along the water line and take away the debris as it comes in and not let it accumulate so the removal will be simple and efficient.

The method that the Town is currently using allows the seaweed and debris to stalk up sometimes knee deep and become embedded into the sand so when it is removed, a great deal of beach sand must be moved with it.

With this method of regular cleaning at the water line, there would be little need to rake any of the sand between the water line and the dune structure so as not to loosen or cause additional wind erosion.

Please review our request and see if it can be accomplished through a Nation Wide Permit. I very much appreciate your assistance in this matter, as it is at a point that our main attracting force, the Beach is no longer attracting visitors and potential buyers. Conversely, it is driving them away as they have no desire to be on an unkept beach; there are lots of other places they can go. We are not asking for any financial assistance or funding, The Shores Association will pay all costs.

I look forward to hearing from you.

Sincerely yours,



Dennis A. Franke

DAF/ce





DEPARTMENT OF THE ARMY
CORPUS CHRISTI REGULATORY FIELD OFFICE
5151 FLYNN PARKWAY, SUITE 306
CORPUS CHRISTI, TEXAS 78411

August 20, 2012

REPLY TO
ATTENTION OF:

Corpus Christi Regulatory Field Office

SUBJECT: File No. SWG-2007-00818; Approved Jurisdictional Determination

Dennis Franke
Franke Realtors
8605 Padre Boulevard
South Padre Island, TX 78579

Dear Mr. Franke:

This is in regard to your request, dated May 17, 2012, in which you requested that we review the jurisdictional status of the proposed collection and removal of sargassum from approximately one-half mile of beach within the Shores Development. The project site is located on an approximate one-half mile portion of beach, interfacing with the Gulf of Mexico, in South Padre Island, Cameron County, Texas.

We have determined that the beach adjacent to the Gulf of Mexico is a water of the United States, approximately to the base of the foredune area. The Corps of Engineers regulates the discharge of dredged and/or fill material into waters of the United States under Section 404 of the Clean Water Act. The placement of dredged or fill material into these waters of the U.S. require a Department of the Army (DA) permit. However, since the activity and method you described in your May 17, 2012 letter and our July 11, 2012 meeting on site involves the removal of sargassum above the mean high tide line without disturbing the sand below it, and placing the sargassum in upland areas, a DA permit is not required for this activity. Please be aware that a DA permit is required for any discharge of fill material in waters of the U.S. Fill material is defined as material placed or displaced in waters of the United States where the material has the effect of replacing any portion of a water of the United States with dry land; or changing the bottom elevation of any portion of a water of the United States, as per 33 CFR 323.2(e)(1).

This determination is an approved jurisdictional determination; this approved determination is valid for 5 years from the date of this letter unless new information warrants a revision of the determination prior to the expiration date. Corps determinations are conducted to identify the limits of the Corps' Clean Water Act jurisdiction for particular sites. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331.5. Also enclosed are a combined Notification of Administrative Appeal Options and Process (NAP) and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA to the Southwestern Division Office at the following address:

Mr. Elliott Carman
Regulatory Appeals Officer
Southwest Division USACE (CESWD-PD-O)
1100 Commerce Street, Suite 831
Dallas, Texas 75242-1317
Telephone: 469-487-7061; FAX: 469-487-7199

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit the RFA form, it must be received at the above address by October 15, 2012. It is not necessary to submit an RFA form to the Division office if you do not object to this determination.

Please note, this is **not authorization to begin work in jurisdictional areas**. If you have any questions concerning this matter, please contact Reagan Richter at the letterhead address or by telephone at 361-814-5847, ext. 1005. To assist us in improving our service to you, please complete the survey found at <http://per2.nwp.usace.army.mil/survey.html>.

FOR THE DISTRICT COMMANDER:



Lloyd Mullins, Supervisor
Corpus Christi Regulatory Field Office

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Franke Realtors		File #: SWG-2007-00818	Date: 20-Aug-12
Attached is:		See Section below	
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of Permission)		B
	PERMIT DENIAL		C
X	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/> Or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved jurisdictional determination (JD) or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Lloyd Mullins, Supervisor
U.S. Army Corps of Engineers, CESWG-PE-RCC
Corpus Christi Regulatory Field Office
5151 Flynn Parkway, Suite 306
Corpus Christi, Texas 78411-4318
Telephone 361-814-5847; FAX 361-814-5912

If you only have questions regarding the appeal process you may also contact:

Elliott Carman, Appeal Review Officer
US Army Engineer Division, Southwestern
1100 Commerce Street, Suite 831
Dallas TX 75242-1317
Telephone: 469-487-7061; FAX: 469-487-7189
Email: Elliott.n.carman@usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or authorized agent.

Date:

Telephone number:



TEXAS GENERAL LAND OFFICE
GEORGE P. BUSH, COMMISSIONER

March 6, 2017

Via Electronic Mail

Brandon Hill
Shoreline Management Director
City of South Padre Island
P.O. Box 3410
4601 Padre Blvd.
South Padre Island, Texas 78597-3410

Beachfront Construction Certificate & Dune Protection Permit in the City of South Padre Island

Site Address: 8500 Padre Boulevard, South Padre Island
Legal Description: The Shores Subdivision, Phase 1, Sections 1-3
Lot Applicant: Dennis Franke
GLO ID No.: BDSPI-17-0054

Dear Mr. Hill:

The General Land Office (GLO) has reviewed the application for a dune protection permit and beachfront construction certificate for the above-referenced location. The applicant proposes to conduct beach maintenance along approximately 2,640 linear feet of beach. According to the Bureau of Economic Geology, the area is eroding at a rate of three to seven feet per year.

Based on the application materials forwarded to our office for review, we have the following comments:

- The application proposes daily raking of the high tide line. Daily raking of high tide line may negatively impact the beach profile. The applicant should minimize the raking of the beach to only when the influx of materials is heavy enough to impact the public's ability to use the public beach easement. The GLO encourages the removal of litter and other debris by handpicking or raking and strongly discourages the use of machines.¹
- The applicant received a 5-year approval letter to conduct the proposed beach maintenance activities without a United States Army Corps of Engineers (USACE) permit on August 20, 2012. The applicant may be required to obtain additional approval from USACE to conduct activities after August 20, 2017.

¹ 31 Tex. Admin. Code § 15.7(l).

- The proposed beach maintenance activities must minimize the redistribution of sand and alteration of the beach profile to the greatest extent possible, and must not materially weaken dunes or dune vegetation or reduce the protective function of dunes.²
- The proposed beach maintenance activity must not restrict or interfere with public use of the beach.³
- The applicant must avoid, minimize and mitigate for the disturbance of any dunes or dune vegetation.⁴

If you have any questions, please contact me at (512) 463-0413 or at natalie.bell@glo.texas.gov.

Sincerely,



Natalie Bell
Beach Access & Dune Protection Program
Coastal Resources Division
Texas General Land Office

² 31 Tex. Admin. Code § 15.7(l).

³ 31 Tex. Admin. Code § 15.7(e).

⁴ 31 Tex. Admin. Code § 15.4(f)(3).

Proposed Beach Maintenance Guidelines

- USACE approved devices for beach maintenance below the Mean High Tide (MHT):
 - Rake
 - BeachTech (beach cleaner with sieve)
 - Rock Bucket
- USACE approved devices for beach maintenance above the Mean High Tide (MHT):
 - Rake
 - BeachTech (beach cleaner with sieve)
 - Rock Bucket
 - Bucket (if used in a manner that will not result in altering the beach profile)
- Recommended procedure and equipment for relocation of seaweed below the MHT:
 - Either the rake or rock bucket can accumulate seaweed below the MHT and reposition it above the MHT for the bucket to relocate.
 - Although approved the BeachTech is not suitable for wet sand and is best used above the MHT.
- Recommended procedure and equipment for removing trash above the MHT:
 - Preferably the BeachTech should be used above the MHT.
 - Has the ability to remove small buried items (ex. straws, cigarette butts, and bottle caps).
 - The rake or rock bucket can be used if needed.
- Beachgoer Seasons:
 - High use- (March, June, July, and August)
 - Beachgoers trample everything on the beach. Coppice dunes are not likely to develop under these conditions east of the LOV. The City will concentrate on protecting established vegetation along pedestrian pathways and newly planted areas.
 - This time of year the City beaches are at their widest as the net transport of sand is landward with constructive waves.
 - Moderate use- (Feb., April., and May)
 - The demand on the beach is much less.
 - There are holidays and special events that will draw crowds at particular times. The City will recognize those events and maintain the beach accordingly.
 - Low use- (Sept, Oct., Nov., Dec., Jan.)
 - Depending on weather and environmental conditions the beach use fluctuates.
 - Red Tide can cause massive fish kills
 - This time of year the City beaches are at their most narrow as the beach shifts to a winter profile with the destructive waves associated with winter.
- Sargassum Season:
 - March, April, May

Proposed Beach Maintenance Guidelines

- **Beach Condition:** The erosion condition of each area should always be considered when determining the frequency and equipment used during maintenance.
 - Accreting- from Acapulco St. South to Isla Blanca Park
 - Stable- Acapulco St. North to Saturn St.
 - Eroding – Saturn St. to the North
- **Safety concerns:**
 - Large holes dug by beachgoers
 - Influx of jelly fish
 - Fisk kills
- **If seaweed is present when should raking occur:**
 - High use- (March, June, July, and August)
 - Sargassum below the MHT should be relocated each morning at 7 a.m. with approved equipment only.
 - Each week the BeachTech should be used to clean the entire width of the beach to remove trash.
 - Grooming of the beach should only be done before holidays.
 - Moderate use- (Feb., April., and May)
 - This time period coincides with the sargassum season and some holidays.
 - Sargassum below the MHT should be relocated each morning at 7 a.m. with approved equipment only.
 - BeachTech should be used following holidays and busy weekends.
 - Grooming of the beach should only be done before holidays.
 - Low use- (Sept, Oct., Nov., Dec., Jan.)
 - Except for special events and holidays the beach should be raked minimally.
 - If there are heavy accumulations and public cannot access the water then the seaweed should be relocated weather permitting.
- **If seaweed is not present when should raking occur:**
 - High use- (March, June, July, and August)
 - Each week the BeachTech should be used to clean the entire width of beach to remove trash.
 - If needed, Fridays the beach can be raked to address safety concerns.
 - Grooming of the beach should only be done before holidays using the BeachTech.
 - Moderate use- (Feb., April., and May)
 - BeachTech should be used following holidays and busy weekends.
 - Grooming of the beach should only be done before holidays using the BeachTech.
 - Low use- (Sept, Oct., Nov., Dec., Jan.)
 - Except for special events and holidays the beach should be raked minimally.

MEMORANDUM

TO: Shoreline Task Force
Natalie Bell, General Land Office
FROM: Brandon N. Hill, Shoreline Management Department Project and Program Manager
DATE: February 24, 2017
RE: Preliminary determination on the impact of the proposed beach management plan as put forward by the Shores complex

The Shores has been managing their own beach for quite some time and has grown their dune field considerably. They have shown to have a conscious approach when it comes to their management approach.

This letter is in support of the proposed management plan with one caveat that has been agreed upon by the Shores Management. The raking will only be done as needed as dictated by the city's proposed beach management plan.

With consideration given to conformance with TAC regulations our preliminary determination is that:

1. The proposed activity will not reduce the size of the public beach. [TAC 15.5 (b)(1)]
2. The proposed activity does not appear to involve construction upon the public beach. [TAC 15.5 (c)(1)]
3. The proposed activity will not encroach upon the public beach. [TAC 15.5 (c)(1)]
4. The proposed activity will not close any existing public beach accesses within the area [TAC 15.5 (d)(1)]

With consideration given to the City's *Dune Protection and Beach Renourishment and Access Plan* [B&D Ord. Section 22-10]:

1. The proposed activity will not result in the potential for increased flood damage to the subject property or adjacent properties.
2. The proposed activity will not result in run-off or drainage patterns that aggravate erosion on and off the site.
3. The proposed activity will cause no changes to the existing dune hydrology east of the Historic Building Line.
4. The proposed activity will not significantly increase the potential for washover or blowouts.



Brandon N. Hill

Marta Martinez

From: Dennis Franke <Dennis@frankerealty.com>
Sent: Friday, February 17, 2017 5:38 PM
To: Brandon Hill
Subject: RE: Beachfront Construction and Dune Protection Permit

Bandon , I have told the tractor driver to only rake the water's edge. That picture appears to be old and must have been after a storm because the sand is wet all the way to the fore dune in which case it may have needed to be raked with debris all over the Beach. At any rate we will only be raking the water's edge. Please move the permit forward so there is no lapse.

Thanks df

Sincerely,
Dennis A. Franke

DAF/ce

**FRANKE
REALTY**
THE  SHORES
8605 Padre Boulevard
South Padre Island, Texas 78597

Office : 956 761-2606, **Ext. 608**
Direct : 956 761-0044 (Direct)
Cell : 956 572-0608
Fax : 956 761-2650
Website : www.frankerealty.com
E-mail : dennis@frankerealty.com
Shores Link : <https://www.youtube.com/watch?v=Qx9yWFvU8gA>



From: Brandon Hill [mailto:BHill@MySPI.org]
Sent: Friday, February 17, 2017 4:04 PM
To: Dennis Franke
Subject: RE: Beachfront Construction and Dune Protection Permit

Mr. Franke,

Monday the Shoreline Taskforce voted to move your application forward on the condition that a version be submitted stating that the raking will only occur when necessary as laid out in the city's Erosion Response Plan and Beach

Maintenance guidelines (a copy of which is attached). Please let me know if you wish to move forward to the GLO under this stipulation. Also, a picture was submitted of the Shores showing the rake marks stretching far further than what was ever permitted. I need to request that you conform with the permit that was on file while we work through filing the new one.

Looking forward to your response,

Brandon N. Hill

Brandon Hill | Shoreline Management Director
City of South Padre Island Shoreline Management
4601 Padre Blvd South Padre Island, Texas 78597
Office: 956-761-8166 | Fax: 956-761-3898 |

E-mail: BHill@myspi.org www.MySPI.org Please send Helpdesk requests to Helpdesk@myspi.org
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From: Brandon Hill
Sent: Thursday, December 15, 2016 4:19 PM
To: DENNIS@FRANKEREALTORS.com
Subject: RE: Beachfront Construction and Dune Protection Permit

Mr. Franke,

Attached is the Beach and Dune Permit that the city and GLO will require that you fill out. The permit will cost 300 dollars in order to process and acquire. As I said over the phone I want you to fill out the application based on the actual intent of The Shores. I would like to speak to you about raking and the reasoning behind the city's policy. I don't know if you would be available to sit down at some point or if a phone call would fit into your schedule more easily.

The city is willing and able to maintain the shores beach however it would not be on a daily basis. Truthfully the beach should only be disturbed when absolutely necessary and having a standing policy of raking daily can be rather detrimental to an area. It is clear that the Shores have done a nice job with their dune system, I simply wouldn't be doing my job if I didn't discuss the GLO's concern around the activity.

I also noticed that your USACE clearance for the activity will be expiring in August 20, 2017. You will need to keep that in mind and not allow it to expire.

Thanks and please let me know when you and I could talk beach,

Thanks

Brandon N. Hill

Brandon Hill | Shoreline Management Director
City of South Padre Island Shoreline Management
4601 Padre Blvd South Padre Island, Texas 78597
Office: 956-761-8166 | Fax: 956-761-3898 |



Marta Martinez

From: Dennis Franke <Dennis@frankerealty.com>
Sent: Friday, February 24, 2017 4:59 PM
To: Brandon Hill
Subject: RE: Shores

Brandon, I told the driver to only rake the waters edge but we only rake as necessary. Is that what you are referring to? df

Sincerely,
Dennis A. Franke

DAF/ce



8605 Padre Boulevard
South Padre Island, Texas 78597

Office : 956 761-2606, **Ext. 608**
Direct : 956 761-0044 (Direct)
Cell : 956 572-0608
Fax : 956 761-2650
Website : www.frankerealty.com
E-mail : dennis@frankerealty.com
Shores Link : <https://www.youtube.com/watch?v=Qx9yWFvU8gA>



From: Brandon Hill [mailto:BHill@MySPI.org]
Sent: Friday, February 24, 2017 3:44 PM
To: Dennis Franke
Subject: RE: Shores

Mr. Franke,

Thanks for your email, I did just get into the office today from my trip to Galveston meeting with the USACE. I will be sending the full packet along to them with your confirmation of acceptance of the change regarding the daily cleanings.

Thanks,

Brandon

Brandon Hill | Shoreline Management Director
City of South Padre Island Shoreline Management
4601 Padre Blvd South Padre Island, Texas 78597
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E-mail: BHill@myspi.org www.MySPI.org Please send Helpdesk requests to Helpdesk@myspi.org

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From: Dennis Franke [<mailto:Dennis@frankerealty.com>]

Sent: Thursday, February 23, 2017 3:48 PM

To: Brandon Hill <BHill@MySPI.org>

Subject: Shores

I know you have been out of town but wanted to check if Beach Access App is approved and moved to State. df

Sent from my iPhone

SHORELINE TASK FORCE AGENDA REQUEST FORM

MEETING DATE: March 20, 2017

ITEM: 9

TO: Shoreline Task Force

FROM: Brandon Hill, Shoreline Management Director

ITEM DESCRIPTION:

Discussion and possible action to recommend City Council pass ordinance for Lot 1, Block 1, Padre Island Inn Subdivision, to set the Dune Protection Line also referred to the Historic Building line.

DISCUSSION:

See attachment.

ORDINANCE NO. 17-

AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING SECTION 22-4 DUNE PROTECTION LINE OF CHAPTER 22 DUNE PROTECTION, BEACH RENOURISHMENT, AND ACCESS PLAN IMPLEMENTING PROVISIONS OF THE CODE OF ORDINANCES TO PROVIDE DUNE PROTECTION LINE TO THE PROPERTY AT LOT 1, BLOCK 1, PADRE ISLAND INN SUBDIVISION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF FIVE HUNDRED DOLLARS (\$500.00) FOR ANY VIOLATION; PROVIDING FOR SEVERABILITY; AND AUTHORIZING PUBLICATION IN CAPTION FORM.

WHEREAS, the City of South Padre Island has heretofore adopted Chapter 22 (Dune Protection, Beach Renourishment, and Access Plan Implementing Provisions) of the Code of Ordinances;

WHEREAS, the City Council finds that the Section 22-4 of Chapter 22 Code of Ordinance needs to be further refined to provide consistent development activities; and

WHEREAS, it is the City Council's intent to protect public health, safety and welfare by defining and clarifying dune protection line in the Section 22-4.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:

Section 1. Section 22-4 is restated in its entirety to read as follows:

Sec. 22-4. DUNE PROTECTION LINE.

- A.** The City Council does hereby establish a Dune Protection Line. Such line shall be the East right-of-way line of Gulf Boulevard and a line extended therefrom to the North property line of Lot 20 of Padre Beach Estates and to the south boundaries of the City's Corporate Limits, or 1000 feet from Mean High Tide whichever is lesser. In the area of the SHORES Subdivision, the Dune Protection Line is designated as the east right-of-way of Texas State Park Road 100 or 1000 feet from Mean High Tide, whichever is lesser. The Dune Protection Line is applicable to all areas within the corporate municipal limits of the City and no area seaward of the Dune Protection Line within the City is exempt from this Chapter.
- B.** A portion of the Dune Protection Line is also depicted on the Historic Building Line Map dated March 1981, which Map is also the same Map furnished to the City by the Office of the Texas Attorney General and is on file with the Public Works Department of the City of South Padre Island, Texas. The map shows the East Right-of-way line of Gulf Boulevard as that line is extended to both the North and South boundaries of the City. The East Right-of-Way line of Gulf Boulevard is tied to specific monuments

on Gulf Boulevard and the existing monuments are referenced to the Texas State Plan Coordinate System.

C. For Lot 1, Block 1, Padre Island Inn Subdivision, the Historic Building Line shall be set 440 feet landward of the mean low tide line and extend north and south to the extent of the property boundaries.

CD. The Dune Protection Line is a "moving" line changing with shoreline changes, and subject to modification. The Dune Protection Line shall be reviewed at least every five (5) years to determine if the line is adequately located to achieve the purpose of preserving critical dune areas. In addition to the five-year review, the City will review the adequacy of the Line within Ninety (90) days after a Tropical Storm or hurricane affects the beach within the City limits.

Section 2. This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 3. Any violation of the above mentioned section of Chapter 22 of the Code of Ordinances of the City of South Padre Island may be punished by a fine not to exceed five Hundred Dollars (\$500.00) for each offense of for each day such offense shall continue and the penalty provisions of Sections of Section 21-1 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

Section 4. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

Section 6. This Ordinance shall become effective when published in caption form.

PASSED, APPROVED AND ADOPTED on First Reading, the _____ day of _____, 2017.

PASSED, APPROVED AND ADOPTED on Second Reading, the _____ day of _____, 2017.

ATTEST:

**CITY OF SOUTH PADRE ISLAND,
TEXAS**

SUSAN HILL, CITY SECRETARY

BHARAT R. PATEL, MAYOR

