

WAIVER TO BUILD ACROSS LOT LINE APPLICATION

(PREVIOUSLY SIMPLE AMENDMENT TO PLAT)

Updated: October, 2018

Case # PCA-____-____-____



CONTACT INFORMATION

Applicant's Name		Property Owner	
Applicant's Mailing Address		Owner's Mailing Address	
Applicant's Phone #		Owner's Phone #	
Applicant's Email		Owner's Email	

PROPERTY INFORMATION

Subdivision Name: _____

Subject Property Address or General Location: _____

Proposed Number of Lots: _____ Acres: _____

Tax ID #: R_____

Located in: City Limits Extraterritorial Jurisdiction (County) _____

S.M. River Corridor Planned Development District: _____

Proposed Use of Land: _____

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$515 plus \$100 per acre

Technology Fee \$12

MAXIMUM COST \$1,012

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

ACKNOWLEDGEMENT OF LIMITATIONS FOR SALE OF PROPERTY

By signing below I understand that by receiving a waiver to allow a building across a lot line the property designated in the application cannot be sold without a re-plat or removal of the structure crossing over the lot line in accordance with the San Marcos Development Code. This waiver is controlling over the recorded plat until the structure requiring the waiver is destroyed or demolished. If no re-plat or removal of structure is done before the sale of the property I understand that the waiver will be considered invalid and not accepted for filing by the county.

Signature of Applicant: _____ Date: _____
Printed Name: _____

CRITERIA FOR APPROVAL:

_____ (A) The combined area and dimensions of the two contiguous lots meet all dimensional standards for a single lot under this Development Code.

_____ (B) Both lots are under the same ownership.

_____ (C) Both lots must be legally platted whole lots within an existing subdivision.

_____ (D) The waiver shall not attempt to remove or modify recorded covenants or restrictions or easements.

_____ (E) The waiver to allow building across a lot line shall not require the dedication of any additional right-of-way or easements.

EXPIRATION: A waiver to allow building across a lot line shall expire automatically if:

(1) Development of the lot does not occur within two years of the recordation of the waiver.

(2) The structure built under the waiver is either demolished or destroyed.



CHECKLIST FOR WAIVER TO BUILD ACROSS LOT LINE

The following items are requested for consideration of this application. These and additional items may be required at the request of the Department	Comments
<input type="checkbox"/> <ul style="list-style-type: none"> • <i>Pre-development meeting with staff is recommended</i> • <i>Please visit http://sanmarcostx.gov/1123/Pre-Development-Meetings to schedule</i> 	
<input type="checkbox"/> Completed Application for a Waiver to Build Across Lot Line	
<input type="checkbox"/> Property Owner Authorization	
<input type="checkbox"/> Names and addresses of property lien-holders (if applicable)	
<input type="checkbox"/> A written statement of the reason for a waiver to build across lot line	
<input type="checkbox"/> Illustrations or other documents showing the proposed amendment to the plat including any additional structures	
<input type="checkbox"/> <ul style="list-style-type: none"> Application Filing Fee \$515 + \$100 per acre (\$1,000 max) Technology Fee \$12 	
<p>**San Marcos Development Code Section 2.3.1.1(C): “Every application accepted by the responsible official for filing shall be subject to a determination of completeness...the responsible official is not required to review an application unless it is complete...”</p>	

PROPERTY OWNER AUTHORIZATION

I, _____ (owner) acknowledge that I am the rightful owner of the property located at _____ (address).

I hereby authorize _____ (agent name) to file this application for _____ (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: _____ Date: _____

Printed Name: _____

Signature of Agent: _____ Date: _____

Printed Name: _____