

# WAIVER TO BUILD ACROSS LOT LINE APPLICATION (PREVIOUSLY SIMPLE AMENDMENT TO PLAT)

Updated: September, 2020



## CONTACT INFORMATION

<b>Applicant's Name</b>		<b>Property Owner</b>	
<b>Company</b>		<b>Company</b>	
<b>Applicant's Mailing Address</b>		<b>Owner's Mailing Address</b>	
<b>Applicant's Phone #</b>		<b>Owner's Phone #</b>	
<b>Applicant's Email</b>		<b>Owner's Email</b>	

## 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 \$529 plus \$100 per acre**

**Technology Fee \$13**

**MAXIMUM COST \$1,013**

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

**APPLY ONLINE – [WWW.MYGOVERNMENTONLINE.ORG/](http://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.

## PROPERTY OWNER AUTHORIZATION

I, \_\_\_\_\_ (owner name) on behalf of  
\_\_\_\_\_ (company, if applicable) acknowledge that I/we  
am/are the rightful owner of the property located at  
\_\_\_\_\_ (address).

I hereby authorize \_\_\_\_\_ (agent name) on behalf of  
\_\_\_\_\_ (agent company) 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 Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name, Title: \_\_\_\_\_

Signature of Agent: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name, Title: \_\_\_\_\_

Form Updated October, 2019

The following items are requested for consideration of this application. These and additional items may be required, at the request of the Department, in order to determine the application complete and filed.		Comments
<input type="checkbox"/>	<p><i>Pre-development meeting with staff is <u>required</u> unless waived by the Responsible Official</i></p> <ul style="list-style-type: none"> <li><i>Please visit <a href="http://sanmarcostx.gov/1123/Pre-Development-Meetings">http://sanmarcostx.gov/1123/Pre-Development-Meetings</a> to schedule, or email <a href="mailto:planninginfo@sanmarcostx.gov">planninginfo@sanmarcostx.gov</a> with any questions.</i></li> </ul>	
<input type="checkbox"/>	Completed Application Pg. 1 – Basic Information	
<input type="checkbox"/>	Completed Application Pg. 2 – Acknowledgement for Limitations of Sale	
<input type="checkbox"/>	Completed Application Pg. 3 – Agent's Authorization to Represent the Property Owner	
<input type="checkbox"/>	Application Filing Fee    \$529 + \$100 per acre (\$1,000 max) Technology Fee                \$13	
<input type="checkbox"/>	Written Approval from the appropriate County for Plats in the Extraterritorial Jurisdiction – this approval will be coordinated by City of San Marcos Staff	
<input type="checkbox"/>	Recorded Deed as Proof of Record of Ownership	
<input type="checkbox"/>	Tax Receipt indicating that taxes were paid prior to January 31 <sup>st</sup> of the current year. (Tax Certificates required prior to recordation)	
<input type="checkbox"/>	Names and addresses of property lien-holders, if applicable, OR statement that the property has no lien holders	
<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	
<b>**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...”</b>		