

CHANGE IN NONCONFORMING STATUS APPLICATION

Updated: October, 2019



CONTACT INFORMATION

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

PROPERTY INFORMATION

Subject Property Address: _____

Zoning District: _____ Tax ID #: R_____

Legal Description: Lot _____ Block _____ Subdivision _____

Existing Land Use: _____ Acres: _____

DESCRIPTION OF REQUEST

Non-conforming use Non-conforming structure

Explanation of, or reason for, requested change:

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 \$740

Technology Fee \$13

TOTAL COST \$753

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

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

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: _____

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**AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS
AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS**

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: _____

Date: _____

Print Name: _____

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CHECKLIST FOR CHANGE IN NONCONFORMING STATUS APPLICATION

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"/> <i>Pre-development meeting with staff is recommended</i> <ul style="list-style-type: none"> • Please visit http://sanmarcostx.gov/1123/Pre-Development-Meetings to schedule 					
<input type="checkbox"/> Completed Application for Change in Nonconforming Status					
<input type="checkbox"/> Site Plan illustrating, where appropriate: property dimensions location, square footage and height of existing and proposed structures, landscaping or fencing, setbacks, parking, ingress & egress, signs, etc.					
<input type="checkbox"/> Statement and/or exhibits describing, in detail, how the proposed change in nonconforming status meets the applicable standards					
<input type="checkbox"/> Agreement to the placement of notification signs and acknowledgement of notification requirements					
<input type="checkbox"/> Authorization to represent the property owner, if the applicant is not the owner					
<input type="checkbox"/> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Application Filing Fee</td> <td style="text-align: right;">\$740</td> </tr> <tr> <td>Technology Fee</td> <td style="text-align: right;">\$13</td> </tr> </table>	Application Filing Fee	\$740	Technology Fee	\$13	
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<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>					