



Amending Plat Application Packet

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Section 101: Amending Plat Prerequisites.

An amending plat shall only be filed in accordance with Section 1 of the Amending Plat Checklist for Completeness Review.

Section 102: Subdivision Variance & Plat Submittal Delay.

If an applicant wishes a deviation from any code standard in Chapter 46, City Code (Subdivision) a subdivision variance must be filed with the City. **This must be filed first and approved before any plat application associated with the variance can be filed with the City.** If it is filed during the plat process the City must immediately consider the plat.

Section 103: Application Submission Requirements.

- A. Submittal of appropriate filing fees for the application. **\$500.00 + recording fees + 115% for any City third-party review, as needed (this will be charged later in the process).**
- B. A copy of all items in the attached TRC Amending Plat Checklist for Completeness Review to the satisfaction of the City. All items shall be submitted in electronic format to planninganddevelopment@ci.elgin.tx.us.

Section 104: Completeness Review.

Once items have been submitted to the City, it shall have ten (10) business days to review for completeness. Completeness shall be determined by reviewing all items submitted and verifying all applicable items are present. If the City determines it compliant under this review, then it moves to a submittal review. If deemed noncompliant, the applicant will be notified in writing of the reasons for noncompliance. The applicant shall have one (1) opportunity to submit information within six (6) calendar months of the date. Failure to meet the deadline date or address all City issues within the one (1) opportunity shall expire the application. Submittal of the application for a completeness review is not regarded as an official filing of the application.

Section 105: Submittal Review.

After the application is determined complete then the items will go through a submittal review. This review is conducted by the Development Review Committee (DRC). Submittals shall be as outlined below:

- A. First (1st) submittal. The DRC shall review the first (1st) submittal within thirty (30) calendar days of the compliant completeness review and submit comments to the applicant in writing by the end of this timeframe.
- B. Response of Applicant. The applicant shall address all individual comments from the DRC by copying each open comment(s) and providing response(s) to each open comment on official letterhead. This shall also include revised documentation showing the comments have been addressed by the applicant. **If necessary, the DRC can meet with the applicant to thoroughly go through their comments, if desired and contracted by the applicant.**

- C. Second (2nd) & third (3rd) submittals. The second (2nd) and third (3rd) submittals, if needed, shall be reviewed by the DRC within thirty (30) calendar days of the applicant's submittal to the City. For these submittals, response shall be required as stated in subsection (B). **If necessary, on the second (2nd submittal) the DRC can meet with the applicant to thoroughly go through their comments, if desired and contracted by the applicant.**

Section 106: Administrative Consideration.

The DRC shall approve if no other outstanding comments remain and deny if there are outstanding comments after the applicant has submitted for the third (3rd) submittal. Upon denial, the application expires.

Section 107: Tax Certificate & Mylars.

After all DRC comments have been addressed by the applicant, the City will notify the applicant to provide one (1) copy of the original tax certificates from each applicable County the lot is located in and one (1) copy of a mylar for each applicable County the plat is located in.

If located in Travis County and outside the City limits the County must sign off the plat before the City will accept it for signature and record the item.

Section 108: Appeals.

An appeals application must be filed with the Department within ten (10) business days from the Commission hearing date. The appeal will be heard by the City Council in a public hearing format with proper notice in accordance with City Code. The Council shall affirm or reverse the Commission. The appeal will be heard by the Council within thirty (30) calendar days of filing.



CITY OF ELGIN

AMENDING PLAT CHECKLIST FOR COMPLETENESS REVIEW

Subdivision Name: _____

NOTE: THE AMENDING PLAT WILL NOT BE CONSIDERED COMPLETE OR FILED UNLESS THE FOLLOWING COMPLETENESS REVIEW REQUIREMENTS ARE MET. **IF AN ITEM IS MISSING FROM THE APPLICATION, THE PLAT WILL BE REJECTED FOR COMPLETENESS REVIEW.** THE CHECKLIST MUST BE COMPLETELY FILLED OUT WITH A Y (YES), N (NO) OR N/A (NOT APPLICABLE) IN EACH BLANK. THIS CHECKLIST MUST BE INCLUDED WITH THE INITIAL SUBMITTAL.

_____ Completeness review date.

_____ Submittal date _____ (per submittal calendar formal submittal after everything is provided per Completeness review).

1. AMENDING PLAT QUALIFICATION REQUIREMENTS

The applicant must conclude that the proposed subdivision.

_____ Is to relocate one (1) or more lot lines between one (1) or more adjacent lots if:

- The owners of all those lots join in the application for amending the plat;
- The amendment does not attempt to remove recorded covenants or restrictions; and
- The amendment does not increase the number of lots;

_____ Is to replat one (1) or more lots fronting on an existing street if:

- The owners of all those lots join in the application for amending the plat;
- The amendment does not attempt to remove recorded covenants or restrictions;
- The amendment does not increase the number of lots; and
- The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.

_____ Is to correct an error in courses and distances of lot lines between two (2) adjacent lots if:

- Both lot owners join in the application for amending the plat;
- Neither lot is abolished;
- The amendment does not attempt to remove recorded covenants or restrictions; and
- The amendment does not have a material adverse effect on the property rights of the other owners in the plat;

_____ Is to correct an error in a course or distance shown on the preceding plat;

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- _____ Is to add a course or distance that was omitted on the preceding plat;
- _____ Is to correct an error in a real property description shown on the preceding plat;
- _____ Is to indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
- _____ Is to show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
- _____ Is to correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
- _____ Is to relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;
- _____ Is to make necessary changes to the preceding plat to create six (6) or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:
 - The changes do not affect applicable zoning and other regulations of the municipality;
 - The changes do not attempt to amend or remove any covenants or restrictions; and
 - The area covered by the changes is located in an area that the municipal planning commission or other appropriate governing body of the municipality has approved, after a public hearing, as a residential improvement area;

If any of the lines have been checked then this amendment qualifies for an amending plat application. If not, a replat application must be filed with the City.

2. APPLICATION REQUIREMENTS

- _____ One (1) electronic version of all items on checklist emailed to the City at planninganddevelopment@ci.elgin.tx.us Information to be forwarded onto by City to third parties after receiving it.
- _____ If adding new lots, a letter from the applicable agencies certifying water and wastewater capacity exists for the plat.
- _____ Copy of the application with all information completely filled out and all applicable signatures.
- _____ Copy of deed showing current ownership. Proof of signatory authority for corporations is required.
- _____ Copy of owner’s authorization for agent giving the applicant permission to file on behalf of the owner or the signatory authority if it is a corporation. This must be submitted on letterhead.

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- _____ One (1) electronic version of all items on checklist emailed to the City at planninganddevelopment@ci.elgin.tx.us. Information to be forwarded onto by City to third parties after receiving it.
- _____ Provide copies of all recorded utility easements (except those dedicated by plat) affecting the existing plat.
- _____ Schematic plans and outline specifications for water, wastewater, paving and drainage, including how utilities and drainage interface with adjacent tracts and any easements required across adjacent tracts to service the proposed subdivision.
- _____ An environmental assessment statement listing any and all environmental hazards and remedial action proposed to allow subdivision to proceed.
- _____ Ownership and Lien Certificate dated no earlier than thirty (30) days prior to the submission of the plat.
- _____ Copy of existing deed restrictions and/or covenants.
- _____ The original tax certificate from each applicable County showing that all taxes have been paid after all City comments have been addressed by the applicant. During the review process if a new fiscal year starts a new original tax certificate from each applicable County must be provided for the new fiscal year. This must be provided before the City can record the plat.
- _____ Submit a recent Title Commitment (dated within one year). If the Title Commitment is older than one year, submit a property report or a Nothing Further Certificate.

3. INFORMATION SHOWN ON THE AMENDING PLAT

- _____ A title including the name of the subdivision, with the words "Amended Plat" which must be included somewhere in the title.
- _____ The name, address and contact information of the owner. If owner is a partnership, corporation, or other entity other than an individual, the name of the responsible individual such as President or Vice President must be given.
- _____ The name, address and contact information of the registered professional engineer or registered professional land surveyor responsible for the preparation of the plat.
- _____ Scale: 1" = 100'. Prior written consent from the Development Services Director will be required for use of a smaller scale.
- _____ Vicinity map
- _____ Date submitted.
- _____ Dated revision block (each revision shall bear a new date).
- _____ North arrow: North to be at the top of the sheet if possible.

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_____ A tie to an original corner of the original survey of which said land is a part.

_____ Legend defining line-types and symbols shown.

_____ Point of beginning.

_____ Total acreage and total number of lots and blocks within the subdivision.

_____ A complete legal description, with modifications, of the original plat being amended.

_____ A note specifying the tracts location in regard to the 100-year floodplain.

_____ The certification statement and seal of the registered professional engineer or registered professional land surveyor who surveyed, mapped and monumented the land shall be placed on the face of the plat as follows:

*The State of Texas
Know All Men by These Presents
County of Bastrop or Travis County*

That I, _____, do hereby certify that I prepared this plat from an actual and accurate on-the-ground survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Elgin, Texas.

*Signature and Seal
of Registered Professional Engineer or
Registered Professional Land Surveyor*

_____ A certificate of ownership and dedication to the public of all streets, easements, alleys, parks, playgrounds, or other dedicated public uses, signed and acknowledged before a notary public by the owners and any holders of liens against the land and shall be placed on the face of the plat.

_____ An accurate on-the-ground boundary survey of the property with bearings and distances and showing the lines of all adjacent land, dedicated right of ways, easements and alleys with their names and width. (Streets, alleys, and lot lines in adjacent subdivisions shall be shown dashed.) All necessary data to reproduce the plat on the ground must be shown on the plat.

_____ Verbiage stating, "This Amended Plat was approved by the City of Elgin on this _____ day of _____, 20__.". Also, provide a separate individual signatory block for the Subdivision Administrator.

If located within Travis County and outside the City limits, individual signatory blocks for the applicable County approval authorities with the date of approval.

_____ The plat shall show all existing features within the area being subdivided, such as existing watercourses, railroads, street right of ways, alleys and easements to be retained and other physical features deemed pertinent to the subdivision.

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Streets, alleys, easements and right of ways that are to be dedicated shall be shown with the following engineering data:

_____ For Streets and Right of Ways: Complete curve data (delta, length of curve, radius, point of curvature, point of reverse curvature, point of tangency) shown on the centerline of each side of the street; length and bearing of all tangents; dimensions from all angle points of curve to an adjacent side lot line shall be provided. The number of feet of roadway shall also be shown on the plat.

_____ For Watercourses and Easements: Distances to be provided along the side lot lines from the front lot line or the high bank of a stream. Traverse line to be provided along the edge of all large watercourses in a convenient location, preferably along a utility easement if paralleling the drainage easement of stream.

_____ Lot and block lines and numbers of all proposed lots and blocks with complete dimensions for front, rear and side lot lines.

_____ Building set back lines shall be shown on all lots.

_____ Limits of the 25-year and 100-year floodplain. For waterways draining sixty-four (64) acres or more.

_____ Environmental buffer zones, easements and dedications.

_____ Minimum finished floor slab elevations, at a minimum of one (1) foot above the 100-year floodplain level, for all lots adjacent to or affected by the floodplain.

_____ A certificate of a registered professional engineer shall be placed on the face of the plat as follows:

*State of Texas
County of Bastrop/Travis*

I, _____, do hereby certify that the information contained on this plat comply with the subdivision ordinances and the stormwater drainage policy adopted by the City of Elgin, Texas.

*Signature and Seal
of Registered Professional Engineer*

4. ACCOMPANYING REQUIREMENTS

_____ If adding new lots, a voluntary annexation application of this plat if under an annexation development agreement, if applicable.

_____ Application for re-zoning (if applicable).

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_____ The original tax certificate from each applicable County showing that all taxes have been paid after all City comments have been addressed by the applicant. During the review process if a new fiscal year starts a new original tax certificate from each applicable County must be provided for the new fiscal year. This must be provided before the City can record the plat.

5. FEES

_____ All associated flat fees in accordance with the fee schedule have been paid to the City. TRC to confirm with the City before completeness review. Third-party review fees will occur later in the process.

_____ LUE fees and reimbursement fees.

DISCLAIMER

THIS CHECKLIST IS USED BY THE ELGIN CITY ENGINEER (TRC) FOR THE REVIEW OF PROPOSED DEVELOPMENTS IN THE CITY OF ELGIN. THIS DOCUMENT DOES NOT GOVERN OVER OR SUPERSEDE ANY REQUIREMENTS OF THE CITY’S SUBDIVISION ORDINANCE OR CONSTRUCTION STANDARDS. ALL REQUIREMENTS IN THE ORDINANCE AND STANDARDS MUST BE MET BY THE DEVELOPER AND THE DEVELOPER’S ENGINEER.

SUBDIVISION REQUIREMENTS CAN BE FOUND AT:

https://library.municode.com/tx/elgin/codes/code_of_ordinances?nodeId=PTIICOOR_CH36SU_ARTIINGE

THE LATEST PARKLAND DEDICATION AND FEES ORDINANCE CAN BE FOUND AT:

https://library.municode.com/tx/elgin/ordinances/code_of_ordinances?nodeId=891710

THE COMPLETE CONSTRUCTION STANDARDS CAN BE FOUND AT:

<http://elgintx.com/DocumentCenter/View/100/Construction-Standards>

“This institution is an equal opportunity provider”

AMENDING PLAT APPLICATION

Date: _____

SITE INFORMATION

Project Address: _____

Parcel Identification Number (if no address): _____

APPLICANT

Name: _____

Postal Address: _____

E-Mail Address: _____; **Phone Number:** _____

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

Signature

Printed Name

Date

Project Description:

