



DEPARTMENT OF DEVELOPMENT SERVICES

Development Services Center – 215 W. Hickory Street – Denton, Texas 76201 voice: (940) 349-8541

www.cityofdenton.com

Amending/Minor Plat Application and Checklist

Property Information:

Project Name: _____ Parcel(s) Tax ID# (Required): _____

Project Address (Location): _____ Total Acres _____

Previous Project Number (If Applicable): _____

Existing Zoning: _____ # of Existing Lots: _____ # of Existing Units: _____

Proposed Zoning: _____ # of Proposed Lots: _____ # of Proposed Units: _____

For Plats Only: This waiver must be completed for all Plat applications; failure to do so will result in the rejection of your application.

I waive the statutory time limits in accordance with Section 212 of the Texas Local Government Code. Waiver from Section 212.009: The Texas Local Government Code requires that the municipal authority responsible for approving plats must take action on a plat within thirty (30) days of the plat application being accepted. A plat is considered approved by the municipal authority unless it is disapproved within that period. Because 30 days is generally not enough time for a plat to be processed by City Staff and forwarded to the Planning and Zoning Commission for approval, a waiver for this section has been provided on the plat application form. If the waiver on the plat application is not signed, then it is likely that the plat will be forwarded to the Planning and Zoning Commission with a staff recommendation of denial within 30 days of the application being accepted. The waiver must be signed by the property owner or by the property owner's designee as noted on a letter of authorization.

SIGNATURE: _____

Owner Information and Authorization:

Name: _____

Company Name: _____

Address: _____

Telephone: _____ Email: _____

CHECK ONE OF THE FOLLOWING:

- I will represent the application myself; or
I hereby designate _____ (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. By signing below, I agree that the City of Denton (the "City") is authorized and permitted to provide information contained within this application to the public. The City is also authorized and permitted to reproduce any copyrighted information submitted in connection with the application, if such reproduction is associated with the application in response to a Public Information Request.

Owner's Signature: _____ Date: _____

STATE OF TEXAS COUNTY OF _____ BEFORE ME, a Notary Public, on this _____ day

personally appeared _____ (printed owner's name) the above signed, who, under oath, stated the following: "I hereby certify that I am the owner, for the purposes of this application; that all information submitted herein is true and correct."

SUBSCRIBED AND SWORN TO before me, this the _____ day of _____, 20_____.

Notary Signature

(seal)



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Please note that this checklist is intended to assist developers and design professionals in the preparation of submittals for DRC review and are generally what is needed to facilitate the review of the proposed **Amending Final and Minor Plat**. A submittal of a complete application will facilitate a timely review. Failure of the applicant to provide required information or obtain a waiver from the DRC Chair will result in application not being processed. Under special circumstances, additional items may be required through the Development Review Committee process prior to approval.

Items to be submitted:

- Application and Checklist.**
- Associated Fee(s):** as listed on the **Development Review Fee Schedule**.
- Project Narrative:** Written proposal for the project.
- Amending Final and Minor Plat:** Plats will be drawn on a sheet size of 24" x 36" with a 3" x 3" clear box in the right hand corner (these are county requirement for filing). Smaller or larger sheet size may be accepted only if approved by Development Review Committee (DRC) Chair. Plats will be drawn to a scale no smaller than 1" = 100' unless otherwise approved by the DRC Chair.
- All amending plats shall be prepared by a Registered Professional Land Surveyor. All documents shall bear appropriate seals, stamps or other validations/certifications of work as applicable in accordance with State law and local requirements.
- Amending Final and Minor Plat Checklist:** I have reviewed the checklist and all submittals for completeness and accuracy.
- All documents are required to be PDF files, each sheet will be a single item and will be uploaded into ProjectDox.**

General Information:

A plat is intended to serve as the official recorded map of the property to be developed, showing thereon the boundaries, lots, public streets and easements and other significant public facilities and features which are necessary to serve the development, as required by the Denton Development Code. A plat of the property to be subdivided or developed is required of all development to which Subchapter 16 of the Denton Development Code applies. For more information see Section 35.16.12 of the Denton Development Code.

Applicant information required: the applicant, owner and contact information must be provided in entirety in ETrakit. If multiple design professionals are involved in the preparation of the plat document, list the principal design professional.

Owner signature: the plat application is required to be signed by the **current property owner**. If the property owner is not available to sign the application, then a letter of authorization from the property owner is required to be submitted which empowers a designee to sign for the property owner.

Section 212.016. Amending Plat.

1. The municipal authority responsible for approving plats may approve and issue an amending plat, which may be recorded and is controlling over the preceding plat without vacation of that plat, if the amending plat is signed by the applicants only and is solely for one or more of the following purposes.
2. To correct an error in a course or distance shown on the preceding plat.
3. To add a course or distance that was omitted on the preceding plat.
4. To correct an error in a real property description shown on the preceding plat.
5. To indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments.
6. 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.
7. 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.
8. To correct an error in courses and distances of lot lines between two adjacent lots if:
 - a. Both lot owners join in the application for amending the plat.



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- b. Neither lot is abolished.
 - c. The amendment does not attempt to remove recorded covenants or restrictions.
 - d. The amendment does not have a material adverse effect on the property rights of the other owners in the plat.
9. To relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement.
 10. To relocate one or more lot lines between one or more adjacent lots if:
 - a. The owners of all those lots join in the application for amending the plat.
 - b. The amendment does not attempt to remove recorded covenants or restrictions.
 - c. The amendment does not increase the number of lots.
 11. To make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:
 - a. The changes do not affect applicable zoning and other regulations of the municipality.
 - b. The changes do not attempt to amend or remove any covenants or restrictions.
 - c. 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.
 12. To replat one or more lots fronting on an existing street if:
 - a. The owners of all those lots join in the application for amending the plat.
 - b. The amendment does not attempt to remove recorded covenants or restrictions.
 - c. The amendment does not increase the number of lots.
 - d. The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.
 13. Notice, a hearing, and the approval of other lot owners are not required for the approval and issuance of an amending plat.

Acceptance of plat application: All plat applications will be reviewed for completeness in accordance with this checklist before they are accepted by City Staff. **Failure of applicant to provide required information or obtain waiver from DRC Chair constitutes grounds for refusal of plat acceptance for processing; or staff recommendation of denial when application is scheduled for consideration.**

Expiration of Plat and Plans: Pursuant to Section 35.16.12.2.F of the Denton Development Code “An approved plat which has not been filed in the appropriate records of Denton County within two (2) years of its approval shall be considered null and void unless an extension is granted by the Planning and Zoning Commission for good cause.”

Plat Shall Contain:

- Plats will be drawn on a sheet size of 24” x 36” with a 3” x 3” clear box in the right hand corner (these are county requirement for filing).
- Plats will be drawn to a scale no smaller than 1” = 100’ unless otherwise approved by the DRC Chair.
- The date, written and graphic scale, north arrow, proposed name of the development, key map showing the location of the development in relation to existing streets and highways and dates of preparation and revisions.
- The signature of the owner or owners of the land included within the plat, acknowledged in the form required for the acknowledgement of deeds.
- Name of the subdivider or developer, record owner and surveyor.
- Title Block containing: Proposed name of the subdivision or lot on record, total acreage, survey and jurisdiction (City of Denton, County of Denton, Texas, for example).
- The development boundary lines, shown by a **continuous dark line** of sufficient width to be easily identified, as shown by a survey performed by a registered professional land surveyor describing the boundaries of the development by metes and bounds.



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- Locate the boundaries with respect to a corner of the survey or tract or any original corner of the original survey abstract of which it is a part (provide a note of description of the location of the survey abstract). At least one corner shall be tied by course and distance to a corner in a recorded subdivision or to a right-of-way pin at an intersection. (Note describing corner markers should be included).
- Describe and locate all permanent survey monuments, pins, and control points and tie and reference the survey corners to the Texas State Plane Coordinate System North Central Zone 1983-1999 datum.
- Identify the dimensions of the development with a legal description and bearings and distances on the boundary of the plat.
- Please provide a location map showing the relation of the subdivision to streets and other prominent features.
- Please show the names of the adjoining subdivisions or the names of the adjoining property owners, together with their respective plat or deed references.
- Show boundaries streets and/or right of way on the plat
- Location of development by city, county and state.
- The location, dimension and description of all existing or recorded public or private easements, and public rights-of-way within the development, intersecting or contiguous with its boundary or forming such boundary.
- The dimensions of all existing or proposed lots and blocks within the development identified by letter or number running consecutively throughout the development.
- The location, dimensions and description of all public or private easements, parks, other areas, reservations, and other rights-of-way located within, intersecting or contiguous with its boundary or forming such boundary.
- All proposed changes to be made in existing right of ways shall be described with accurate bearings or deflecting angles and radii, area and central angle, degree of curvature, tangent distance and length of all curves where appropriate, and the primary control points.
- Approved name and dimensioned width of each street right of way.
- Show centerline of existing streets. Dimension from centerline to edge of existing right-of-way.
- All existing easements – labeled, dimensioned, and instrument used to create or abandon such easements, if by separate instrument.
- Reference by record name to recorded subdivision plats or adjoining platted land with recording information.
- All required dedication and certification statements.
- Certification that basic monumentation has been set in order to determine location of public improvements.
- Signature block for approving body.
- The location of all water and sanitary sewer service lines shall be shown on the supplemental document and submitted with the amending plat.
- Provide computer generated closure sheets for the exterior boundary of the subdivision.
- Provide computer generated closure sheets for all proposed street rights of way and lots being amended by the subdivision.
- Label lots in or adjacent to a floodplain or adjacent to a drainage easement and in other locations if required by the City Engineer with the following: “minimum finished floor elevations required.”
- Provide a note on the plat stating: “The minimum finished floor elevations shall be provided when a building permit application is submitted. The minimum finished floor elevations shall be based on the current FEMA data. The minimum finished floor elevations shall be stated as mean sea level rather than relative based on city of Denton Datum or N.G.S. 1983 datum.”
- Provide a note on the plat stating the purpose of the Amending Final Plat.



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Requirements for Recording Plat:

Plats shall be filed prior to formal acceptance of any public improvements and prior to issuance of building permits. In order to comply with the county's plat filing requirements, the following must be completed on the final plat document.

- All documents shall bear appropriate seals, stamps or other validations/certifications of work as applicable in accordance with State law and local requirements.
- All stamps and seals must be legible.
- Tax certificates are required with the filing of each plat from all taxing entities.
- All property owner signatures must be original and acknowledged (notary public) and each name must be printed below each signature.
- A 3" X 3" box in the bottom right-hand corner is requested on the plat in order to print recording information.
- A fee of \$50 is required for each page of the plat filed plus \$0.25 for each page of each copy the applicant requests returned.
- All final plats must be recorded within two years from the date of approval or they become null and void.**