



## TOWN OF HORIZON CITY

14999 Darrington Road  
Horizon City, Texas 79928  
Phone 915-852-1046 Fax 915-852-1005  
www.horizoncity.org

## LAND DEVELOPMENT EXEMPTION DETERMINATION

**Exemptions - The following land divisions are exempt from the requirements of the Subdivision Ordinance, No. 35 that applies to plats, provided that the applicant has an approved exemption determination.**

1. The combining of two or more legally recorded lots into one parcel will not be required to be replatted into one lot provided all lots are permanently joined by a structure or improvements built over the property line(s) in accordance with the zoning ordinance;
2. The division of a legally recorded lot into two portions and the combining of the portions of the lots with the adjacent lots on each side shall be allowed without replatting, provided each new lot complies with the zoning ordinance. The parcel line dividing the middle lot shall become the new lot line and the side setbacks required by zoning shall be measured from that line;
3. The sale by metes and bounds and subsequent issuance of a permit for improvements upon a portion of a platted commercial lot within a commercial unit development;
4. Provided, however, that on those parcels described in subsections 1, 2, and 3 above, no additional right-of-way or public easements must be dedicated, or public utilities or roadways must be constructed;
5. Sale, inheritance, or gift of land by metes and bounds of tracts upon which no improvements, development, subdivision or alteration is intended, provided however, that prior to construction of improvements, a plat meeting the requirements of the ordinance codified in this title shall be completed and recorded;
6. A division of land created by order of a court of competent jurisdiction, provided however, that prior to construction of improvements, a plat meeting the requirements of this ordinance shall be completed and recorded prior to the issuance of permits;
7. Creation of a remainder tract in accordance with Subsection 1.3.28 of this Ordinance, provided such remainder tract is suitable for development in the future and does not make any other tracts undevelopable under current Town of Horizon City ordinances, and provided however, that prior to construction of improvements, a plat meeting the requirements of this ordinance shall be completed and recorded prior to the issuance of permits;
8. The acquisition of land by the city for the purpose of providing Stormwater drainage facilities or land required for roadway facilities.
9. Land to be used for electric company substations or minor utility facilities as defined in Subsection 1.3.26 of this ordinance.
10. Construction of accessory buildings and additions of less than fifty percent of the total existing square footage of schools that were built at least fifteen years prior to the date that the current submitted application is deemed complete.

### Administrative Process

#### Step 1...

**Completely fill out** and submit the **Land Development Exemption Determination Application** as provided on the reverse side. An incomplete request form will not be accepted (all information requested under "Parcel Information" must be provided). Specific or additional information regarding the exemption may be attached as a memorandum or letter.

#### Step 2 ...


1. Submit a letter providing information that establishes the basis for the exemption (see list above). In addition, a description of the activity or development for which the exemption is being sought may be included in the letter as requested under "Parcel Information" of the application.
2. **Drawings:** Provide, 1 digital and 1 paper copy of the scaled drawings; **both** of a site plan/plat **and** survey plan as your "exhibit" that shows the boundaries of the site, the location of existing improvements on the site, and the location of proposed development activities on the site to be reviewed. (Any surveys or documents filed at the Court House will need to be provided a copy to the Town upon recordation)
3. Complete & provide an **affidavit**, if you represent the owner of the property. (Provided as page 3)
4. Review Fee: **\$300.00**

#### Step 3...


Attach the complete request form to your exhibit along with any other support material and submit to the Planning Department.

## LAND DEVELOPMENT EXEMPTION DETERMINATION APPLICATION

### (1) Parcel Information (All blanks under this portion of the application must be completely filled out)

Site Address:	
Legal Description:	
Owner of Record:	
Owner's mailing address:	
Owner's phone Number:	
Property / Geo ID Number:	
Description of the activity or development for which exemption is sought (Provide separate letter, if necessary)	
<b>Certification &amp; Signatures</b>	I, certify that all statements are correct and that all accompanying documents are accurate. I, hereby request that the Planning Department make the following determination regarding the property described above to determine if the land divisions are exempt from the requirements as outlined in Amendment 18, Section 3.1.3; Subdivision Ordinance 35.
Owner (s) Signature	

### (2) Owner's Agent/Representative Information (Affidavit Required-provided as page 3)

Representative's Name:	
Firm's Name, if applicable	
Address:	
City, State, Zip	
Preferred Phone Number	
E-mail address	
<b>Certification &amp; Signatures</b>	I, certify that all statements are correct and that all accompanying documents are accurate. I, hereby request that the Planning Department make the following determination regarding the property described above to determine if the land divisions are exempt from the requirements as outlined in Amendment 18, Section 3.1.3; Subdivision Ordinance 35.
Representative's Signature	

### (3) Engineer & Licensed Land Surveyor Information that prepared exhibits:

Surveyor/Engineer's Name	
Firm's Name, if applicable	
License Number:	
Address:	
City, State, Zip	
Preferred Phone Number	
E-mail address	

### (4) Contact Person Information (Other than Representative/Surveyor/Engineer listed above)

Contact Person:	
Address:	
City, State, Zip	
Preferred Phone Number	
E-mail address	

# AFFIDAVIT

(Appointment of Representative)

THE STATE OF TEXAS  
COUNTY OF EL PASO

BEFORE ME, the undersigned official, on this day personally appeared \_\_\_\_\_  
\_\_\_\_\_, who is personally know to me, and first being duly sworn according to law upon his/her oath deposed  
and said:

"My name is \_\_\_\_\_; I am over eighteen (18) years of age and I reside  
at:

\_\_\_\_\_. I have the legal authority to appoint a  
representative and I have personal knowledge of this facts stated herein, and they are all true and correct. I  
own the property which is the subject of this proposed  Land Development Exemption Determination  
 Subdivision Application  Rezoning Application  Specific Use Permit  Building Permit  
Application  Variance Application  Other Application (Name application in space provided) \_\_\_\_\_

\_\_\_\_\_. I have designated (Firm/Individual) \_\_\_\_\_  
\_\_\_\_\_ to represent me in filing an application for a \_\_\_\_\_ with Planning Department of the Town of  
Horizon City, and to appear on my behalf at all necessary meetings of the Planning and Zoning Commission  
and the City Council of Horizon City with respect to this application. In relation to this, it is my understanding  
that as owner of the aforementioned property either I or my designated representative may appear on behalf  
of the proposed application. It has been explained to me and I understand that a written notice must be filed  
with the Planning Director of the Town of Horizon City to give notice of a termination of this appointment prior  
to the final determination regarding my application, and I must make and file a new affidavit and appointment  
of representative to change or substitute the representative."

\_\_\_\_\_  
Affiant

On \_\_\_\_\_, 20\_\_\_\_, personally appeared \_\_\_\_\_ and having  
been duly sworn by me, subscribed to the foregoing affidavit and has stated that the facts therein are true  
and correct.

\_\_\_\_\_  
Notary Public, State of Texas