

From: [Richard Emerson](#)
To: [Manager](#)
Cc: [City Secretary](#); [Jaime Lanka](#)
Subject: RE: Construction across property lines
Date: Monday, October 25, 2021 5:01:51 PM
Attachments: [image002.jpg](#)
[image003.jpg](#)
[image004.png](#)

Brenton,

Per the 2015 IRC, Section R106.2 Site plan or plot plan.

The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site and distances from lot lines. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot.

The building official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted. (emphasis added)

2015 IBC, Section [A] 107.2.5 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

“On the site” is interpreted as within a legal boundary survey, and does not include assumed or imaginary lot lines, subdivisions, or the adjoining of adjacent properties. Certain code requirements are dependent on the structure’s location on the lot, the topography of the site, and whether the site has flood hazard areas. Although we perform a *site plan code review**, whenever a site plan indicates construction that either encroaches a setback, easement, or crosses a property line, we will ask the question whether a variance was granted or was the property re-platted to allow a structure to be placed over a property line. It may be difficult to get a clear title if a structure encroaches or the lots are not re-platted adjacent lots.

* We are only checking the proposed structures’ distance in relation to other combustible structures.

Respectfully,

Rich Emerson, CBO

In response to the COVID-19 global pandemic, I will be working remotely part-time. Please reach out to me via email whenever possible. Be safe!

RAS Lic.#245, TREC PI Lic.#3435, TSBPE Lic.#2149

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From: Manager <manager@woodcreektx.gov>
Sent: Monday, October 25, 2021 4:42 PM
To: Richard Emerson <Richard_Emerson@ats-engineers.com>
Cc: City Secretary <city.secretary@woodcreektx.gov>
Subject: Construction across property lines

Rich,

Is there a specific section in the IRC or other code that restricts the construction across property lines?

Thank you in advance for your assistance.

Brenton

Brenton Lewis
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To:

Message Score: 20

High (60): **Pass**