

# Consent for Encroachment into Side Property Line Setback

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Austin Land Development Code section 25-2-1176 prohibits a dock or other structure, other than a retaining wall, to be constructed or altered within 10 feet of a side property line without the approval of the Parks and Recreation Board (PARB). One of the factors that the PARB considers with a request to reduce the side property line setback is whether the affected property owner agrees with having a structure within the 10 foot side property line setback. **Note that consent between the Property Owners who share the side property line does not guarantee that the request to reduce the side property setback will be approved by the PARB.**

Property Requesting Encroachment into the Side Property Line Setback

Project Site Plan: SP-

Address:

Property Owner:

Property Adjoining the Shared Property Line

Address:

As the legal owners of the Property Adjoining the subject Shared Property Line, I/we willingly give our consent for a structure to be placed within the 10 foot setback area of the shared side property line.

I/we understand that the City of Austin is not responsible for enforcement of any agreement, written or verbal, that I/we may have with the Property Owner who is requesting this approval.

I/we understand that, if the request to decrease the 10 foot side property line setback is approved, the approval endures for the project duration of the referenced Site Plan and any approved extensions of time, and that withdrawing my/our consent after such approval is granted will not affect the subsequent processing and permitting of the Site Plan.

I/we understand that the project plans as currently proposed by the referenced Site Plan may be modified with substantive changes that are administratively approved by City of Austin staff without notice to or review or approval by me/us.

I/we understand that, if the structure has not been constructed within the shared side property line setback area at the time that I/we sell my/our property, it is my/our responsibility to disclose this Consent for Encroachment into Side Property Line Setback to the buyer of my/our property.

Property Owner Name

Signature

Date

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