



# MODEL HOME APPLICATION

(PLEASE PRINT CLEARLY)

Date of Application: \_\_\_\_\_

Permit #: \_\_\_\_\_

Address: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Sect: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Type of Structure: \_\_\_\_\_ Total Sq. Ft: \_\_\_\_\_ Value: \_\_\_\_\_

# Of Stories: \_\_\_\_\_ Property within flood plain? Y/N Flood Zone: \_\_\_\_\_ Base Flood Elevation: \_\_\_\_\_

Is the Master Plan on file? Yes No Plan # \_\_\_\_\_

Owner: \_\_\_\_\_ Contractor: \_\_\_\_\_

Contractor Address: \_\_\_\_\_

Contractor Email: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

### Contractors: (Must be registered with the City of Leander)

Electrical Contractor: \_\_\_\_\_

Plumbing Contractor: \_\_\_\_\_

Mechanical Contractor: \_\_\_\_\_

**The applicant for the model home permit shall acknowledge to the city in writing that such applicant is knowledgeable of all legal and pertinent facts applicable to the subdivision for which such permit is requested; that the applicant understands the following requirements of this article, and further agrees that, a certificate of occupancy will not be issued for the model home and that such home may not lawfully be sold or conveyed to any third party prior to the final acceptance of the subdivision improvements and recordation of the subdivision plat; and that the applicant will proceed at his own risk and understands and assumes all risks with respect to delay in acceptance of, or refusal to accept, the subdivision by the city; that no water or wastewater connections shall be made until the city gives written authorization thereof; that the city cannot and will not project any date or time for authorizing connection to the water and wastewater systems or acceptance of the subdivision; and that the city reserves the right to stop construction of the model home at any time prior to acceptance of the subdivision.**

**PLEASE ALLOW 10 WORKING DAYS FOR CITY PROCESSING**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Permits Division, P.O. Box 319, Leander, Texas 78646-0319  
Ph. (512) 528-2752, [permits@leandertx.gov](mailto:permits@leandertx.gov), <http://www.leandertx.gov>

FOR CITY USE ONLY BELOW THIS LINE

Approved Rejected By \_\_\_\_\_ on \_\_\_\_\_

Resubmitted and reviewed

Approved Rejected By \_\_\_\_\_ on \_\_\_\_\_

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Permit Fees:**

Building: \_\_\_\_\_ sq. ft X \$0.15= \_\_\_\_\_ or \$40.00 (Minimum)  
Plumbing: \_\_\_\_\_ sq. ft X \$0.15= \_\_\_\_\_ or \$40.00 (Minimum)  
Electrical: \_\_\_\_\_ sq. ft X \$0.15= \_\_\_\_\_ or \$40.00 (Minimum)  
Mechanical: \_\_\_\_\_ sq. ft X \$0.15= \_\_\_\_\_ or \$40.00 (Minimum)  
Plan Review (up to 3000 sq. ft) \$50.00 w/o Master - \$20.00 w/Master \$ \_\_\_\_\_  
Plan Review (3000 sq. ft or greater) \_\_\_\_\_ sq. ft X \$0.05 per sq. ft \$ \_\_\_\_\_  
Temporary Meter Loop: \$ 40.00  
Permanent Power: \$ 40.00  
Gas (if applicable): \$ 40.00

**Additional Fees:**

Utility Tap Fee Water: \$ \_\_\_\_\_  
Wastewater: \$ \_\_\_\_\_  
Water Deposit: \$ \_\_\_\_\_  
Other: \$ \_\_\_\_\_

**Impact Fees:**

Water: \$ \_\_\_\_\_  
Wastewater: \$ \_\_\_\_\_  
  
Total Permit fee: \$ \_\_\_\_\_

Application Complete Date: \_\_\_\_\_ By: \_\_\_\_\_



## General Guidelines for Obtaining Residential Building Permits

To help expedite the plan review and permit approval process the following general guideline is provided. Please feel free to contact the Building Inspection Dept. at 528-2752 for specific questions.

Residential Projects: One (1) set of plans.

**\*\* Approved set of plans will not be returned to applicant for Residential Projects\*\***

All submittals need to include the following information:

- Completed Residential Building Permit Application
- Complete and Accurate Address
- Plot plan of the lot
- Must indicate the location of the building on the lot with set back dimensions, all easements affecting the lot
- Proposed parking and drainage details
- Site Plan & Details
- ResCheck Form (Energy Conservation Code)
- Engineered Foundation Plan & Details
- Floor Plan & Details
- Wall Construction Plan or Cross Section Details
- Roof Plan & Details or Truss Specifications
- Other Pertinent Structure Details
- Elevations
- Electrical Plan & Details
- Plumbing Plan & Details
- Mechanical Plan & Details

Depending upon the project additional data may be required (i.e, details, computations, stress diagrams, soil analysis, handicap requirements, engineer/architect/surveyor seals, electrical riser/diagrams/calculations/analysis, etc.).

**\*\*Flood Zone- Must comply with City and Federal Regulations, if applicable\*\***

## **RESIDENTIAL- ELECTRICAL SUBMITTAL OUTLINE**

The following minimum requirements shall be included in the documents when submitted to the City of Leander for plan review.

- Power, Lighting, and Equipment Layout.
- Locate GFCI receptacles
- Electrical Notes on plans to substantiate items.
- Locate smoke detectors.
- All documentation shall be submitted as integral part of the plans. All additional and revised documentation shall be submitted as an integral part of the plans and must also show Engineer's stamp, must be submitted on the same size and type of material as the original plans. (No papers to be stapled, taped, glued, clipped, etc., to the plans as documentation)

## **RESIDENTIAL- PLUMBING SUBMITTAL OUTLINE**

The following minimum requirements shall be included in the documentation when submitted to the City of Leander.

- Show Plumbing Layout

## **RESIDENTIAL- MECHANICAL SUBMITTAL OUTLINE**

The following minimum requirements shall be included in the documentation when submitted to the City of Leander.

- HVAC Locations
- Indicate Gas or Electric

## **ATTENTION: CONTRACTORS AND PROPERTY OWNERS**

Approval of permits by the City of Leander does not exempt you from complying with current or future federal, state, or regional development requirements.

For your assistance we are providing the following contacts to answer your questions or concerns.

### Inspections & Permits

[www.leandertx.org](http://www.leandertx.org) (most applications are available online)

(512) 528-2823 – Janet L. Gallagher: Building Official

(512) 528-2744 – Al Hamilton: Senior Building Inspector

(512) 528-0723 – Monica Sanders: Plan Reviewer / Inspector

(512) 528-2823 – Carla Woods: Permits Clerk

(512) 528-2752 – Stefanie Brown: Permits Clerk

(512) 528-2742 – Stephen Oldham: Code Enforcement

(512) 528-2884 – Alma Trevino: Code Enforcement

**(512) 528-2748 – Inspection Request Line**

### Community Development

Planning – (512) 528- 2750

Engineering – (512) 258-2766

### Williamson County Health District

Private Sewage Facility (i.e., septic tanks) – (512) 943-3620

### U.S. Department of Energy (ResCheck Form/Information)

[www.energycode.gov](http://www.energycode.gov)

### Federal Emergency Management Agency (FEMA)

Flood Plain Information, (i.e., elevation certificates) – 1-800-638-6620

### Texas Commission on Environmental Quality (TCEQ), formerly TNRCC

Drainage Issues – (512) 239-1000

### U.S. Fish & Wildlife Services – (512) 490-4390

- Habitat/Endangered Species
- Caves

**ORDINANCE 11-017-00**

**AN ORDINANCE OF THE CITY OF LEANDER, TEXAS AMENDING ARTICLES 3.1401 THROUGH 3.1410 OF THE CODE OF ORDINANCES TO ADOPT AN UPDATED MODEL HOMES ORDINANCE PROVIDING A SEVERABILITY, SAVING CLAUSE, SEVERABILITY; OPEN MEETINGS CLAUSES AND PROVIDING FOR RELATED MATTERS.**

Whereas, the public health, safety and welfare will be served by updating the Model Homes ordinance heretofore adopted by the City of Leander, Texas;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT;

**Section 1. Finding of Fact.** The above and forgoing recitals are hereby found to be true and correct and are incorporation herein as finding of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

**Section 2. Adoption of Model Home Ordinance**

This ordinance repeals all past versions and amendments of the Model Homes ordinance as previously adopted in 1999 by the City of Leander.

**MODEL HOMES**

**Sec. 3.1401 Model Home Permit Required**

In addition to all other required permits, a separate permit shall be required for each model home. The term "model home" shall mean a building designed for use as a single family residential dwelling and that is used, or planned for use, as an office by the builder, or entity marketing similar buildings, or that is planned for the use as a demonstration home for the purpose of marketing other buildings. No person or entity shall use, suffer or permit the use of, any building as a model home unless a model home permit has been issued for such building in compliance with this article.

**Sec. 3.1402 General Requirements**

The following conditions and requirements shall be applicable to all model homes:

- (1) A minimum of two (2) off-street parking spaces must be provided.

- (2) Outdoor lighting shall be planned and installed so as not to shine or cast light on any other property or public street, and if more than one porch light, one light over the entrance to the garage and one light at the rear entrance of the house is planned, the lighting plan must be approved by the building official;
- (3) Model homes shall not be open to the public between the hours of 9:00 p.m. and 9:00 a.m.;
- (4) Signs shall comply with all ordinances and not more than one open house sign, or similar sign, shall be allowed.

### **Sec. 3.1403 Additional Requirements in Certain Subdivisions**

Building permits may be issued for the construction of model homes within an approved subdivision prior to the final acceptance and recordation of the subdivision plat, contingent upon the applicant satisfying the requirements of this article and the subdivider satisfying the requirements of this section.

- (1) The subdivider shall provide surety and guarantee for completion of all required improvements in such subdivision including the city's cost for collecting the guaranteed funds and administering the completion of improvements in the event the subdivider defaults. Such guarantee and surety shall take one of the following forms:
  - (A) Performance Bond. The subdivider shall post a performance bond with the City of Leander, as set forth herein, in an amount equal to one hundred and ten percent (110%) of the estimated construction costs for all required improvements in the subdivision.
  - (B) Escrow Account. The subdivider shall deposit cash or other instrument readily convertible into cash at face value, either with the City of Leander, or in escrow with a bank or savings and loan institution approved by the city. The use of any instrument other than cash shall be subject to the approval of the city. The amount of the deposit shall equal one hundred and ten percent (110%) of the estimated construction costs for all required improvements. In the case of any escrow account, the subdivider shall file with the city an agreement between the financial institution and the subdivider guaranteeing the following:
    - (i) The funds of said escrow account shall be held in trust until released by the city and may not be used or pledged by the subdivider as security in or for any other matter during that period.
    - (ii) In the case of a failure on the part of the subdivider to complete said improvements, the financial institution shall immediately make the funds in said account available to the city for use in the completion of those improvements.

(iii) Such escrow account agreement shall be prepared using a form approved by the city attorney of the City of Leander.

(C) Letter of Credit. The subdivider shall provide a letter of credit from a bank or other federally insured financial institution approved by the city. This letter shall be submitted to the city and shall certify the following:

(i) The creditor does guarantee funds equal to one hundred and ten percent (110%) of the estimated construction costs for all required improvements.

(ii) In the case of failure on the part of the subdivider to complete the specified improvements within the required time period, the creditor shall pay to the City of Leander immediately, and without further action, such funds as are necessary to finance the completion of those improvements, up to the limit of credit stated in the letter.

(iii) This letter of credit may not be withdrawn, or reduced in amount, until approved in writing by the city.

(iv) Such letter of credit shall be prepared using a form approved by the city attorney.

(2) A registered professional engineer licensed to practice in the State of Texas shall furnish estimates of the costs of all required improvements to the city engineer who shall review the estimates in order to determine the adequacy of the guarantee instrument for insuring the construction of the required facilities.

(3) Such surety shall comply with all statutory requirements and shall be satisfactory to the city attorney as to form, sufficiency, and manner of execution as set forth in these regulations. All such surety instruments shall be both a payment and performance guarantee.

(4) A model home permit may not be issued for any lot, tract or parcel of land save and except that all required curb, gutter and asphaltic or concrete surface\_for the abutting street shall be installed, and the pipe and conduit required for all underground utilities and storm sewer on or abutting the lot shall have been installed. Fire hydrants located within 200 feet of the model home shall be fully functional for firefighting use.

(5) The applicant for the model home permit shall acknowledge to the city in writing that such applicant is knowledgeable of all legal and pertinent facts applicable to the subdivision for which such permit is requested; that the applicant understands the following requirements of this article, and further agrees that, a certificate of occupancy will not be issued for the model home and that such home may not lawfully be sold or conveyed to any third party prior to the final acceptance of the

subdivision improvements and recordation of the subdivision plat; and that the applicant will proceed at his own risk and understands and assumes all risks with respect to delay in acceptance of, or refusal to accept, the subdivision by the city; that no water or wastewater connections shall be made until the city gives written authorization thereof; that the city cannot and will not project any date or time for authorizing connection to the water and wastewater systems or acceptance of the subdivision; and that the city reserves the right to stop construction of the model home at any time prior to acceptance of the subdivision.

### **Sec. 3.1404 Variances**

The city council may grant variances to the requirements of Section 3.1402 upon written application made to, and majority vote of, the city council.

### **Sec. 3.1405 Application and Issuance**

Application for a model home permit shall be made to the building official on a designated form. The building official shall issue a model home permit for each application that complies in every respect with this article. If an application does not comply, the building official shall reject such application and shall not thereafter consider the application; provided that upon the payment of an additional application fee a revised application in compliance with this article may be resubmitted.

The model home permit shall have the following statement printed thereon:

“The City of Leander can neither enforce nor waive any deed restriction, restrictive covenant, or private contract rights. This permit is subject to any such restrictions, covenants or rights that may be applicable to the property for which this permit is used. The applicant/permittee should confirm the deed restrictions. If any, for the lot, tract or parcel of land for which this permit is issued, and seek legal counsel with respect thereto as appropriate.”

### **Sec. 3.1406 Permit Fee**

Permit fees as provided for in the fee schedule found in the appendix of this code is hereby established and imposed for each application for a model home permit. Such fee shall be charged for each separate application or re-submittal of a previously rejected application. The fee shall entitle the applicant for each approved application to occupy and use the permitted structure in compliance with this article for a period of twelve (12) calendar months; provided that any model home permit may be canceled if the model home shall not be maintained in compliance herewith.

### **Sec. 3.1407 Collection and Deposit**

The building official shall cause the plan review fee to be collected prior to reviewing any application for a model home permit.

### **Sec. 3.1408 Conversion from a model home to a Single Family home**

Application for a conversion permit and a driveway permit shall be made to the building official. The building official shall issue a conversion permit for each application that complies with this article. The permit shall include converting the sales office to the originally intended use and installing the garage, driveway and sidewalk as required by the subdivision approved plat. If an application does not comply, the building official shall reject such application and shall not thereafter consider the application; provided that upon the payment of an additional application fee a revised application in compliance with this article may be resubmitted.

### **Sec. 3.1409 Enforcement**

The building official shall be responsible for enforcing this article and shall inspect each property for which an application has been approved for the purpose of verifying that the applicant has complied with the permit requirements and this article. No structure for which a model home permit has been issued shall be occupied as a model home until such structure complies with the permit requirements and this article.

### **Sec. 3.1410 Penalties**

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine in accordance with the general penalty provision found in Section 1.109 of this code. Each day of violation and each incident of violation of this article shall constitute a separate offense.

### **Section 4 Amendment of Ordinances.**

Article 3.1401 through 3.1410 of the Leander Code of Ordinances are hereby amended as provided herein. All ordinances of parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are amending to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of this city, the terms and provisions of the more restrictive shall govern.

### **Section 5 Saving Clause.**

All rights and remedies of the City of Leander are expressly saved as to any and all violations of the provisions of any ordinance affecting Model Homes within the City which have accrued at the time of the effective date of this ordinance, and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**Section 6 Effective Date.**

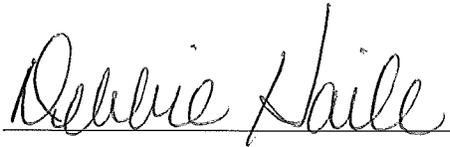
This ordinance takes effect immediately upon signature.

**Section 7. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

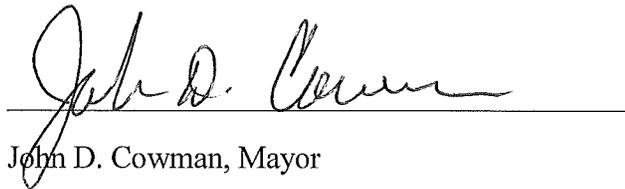
**PASSED AND APPROVED** on the 7th day of July, 2011.

**ATTEST:**

**CITY OF LEANDER, TEXAS**



Debbie Haile, City Secretary



John D. Cowman, Mayor