

Teel 380 Addition,
Block A, Lot 7
(WAIV-25-0004)

Information

Purpose:

- Allow Lot 7 to have frontage onto a fire lane, access, utility, and drainage easement (F.A.U.D.E) instead of public right-of-way.

History:

- Approved Preliminary Site Plan (D22-0021) showed 13 lots with four not having frontage onto public right-of-way.
- Approved Conveyance Plat (D22-0070) showed nine lots with one lot (Lot 7) not have frontage onto public right-of-way.

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Subdivision Ordinance:

- Per Article 10.03, Section 137 (§ 10.03.137) of the Subdivision Ordinance, a waiver may be approved for lots in nonresidential developments that can not achieve access to a public street provided there is adequate access through public access easements from a public street.

Criterion:

- The following criterion should be considered when evaluating a waiver request.
 - The nature of the proposed land use involved and existing uses of the land in the vicinity.
 - The number of persons who will reside or work in the proposed development.
 - The effect such subdivision waiver might have upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity.

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Findings:

- The following findings should be presented when proposing a waiver request.
 - There are special circumstances or conditions affecting the land involved or other physical conditions of the property such that the strict application of the provisions of this subdivision ordinance would deprive the applicant of the reasonable use of his or her land.
 - That the subdivision waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant, and that the granting of the subdivision waiver will not be detrimental to the public health, safety or welfare or injurious to other property in the area.
 - That the granting of the subdivision waiver will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this subdivision ordinance.

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Finding One:

- There are special circumstances or conditions affecting the land involved or other physical conditions of the property such that the strict application of the provisions of this subdivision ordinance would deprive the applicant of the reasonable use of his or her land.
 - Lot 7 was approved on the Preliminary Site Plan without lot frontage.
 - Subsequently, both the Site Plan and Final Plat were approved without lot frontage.
 - The property is currently under construction.
 - Adequate fire lane access is provided to the site.

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Finding Two:

- That the subdivision waiver is necessary for the preservation and enjoyment of a substantial property right of the applicant, and that the granting of the subdivision waiver will not be detrimental to the public health, safety or welfare or injurious to other property in the area.
 - The property would be able to be final platted in the configuration that was approved prior to construction.

Information

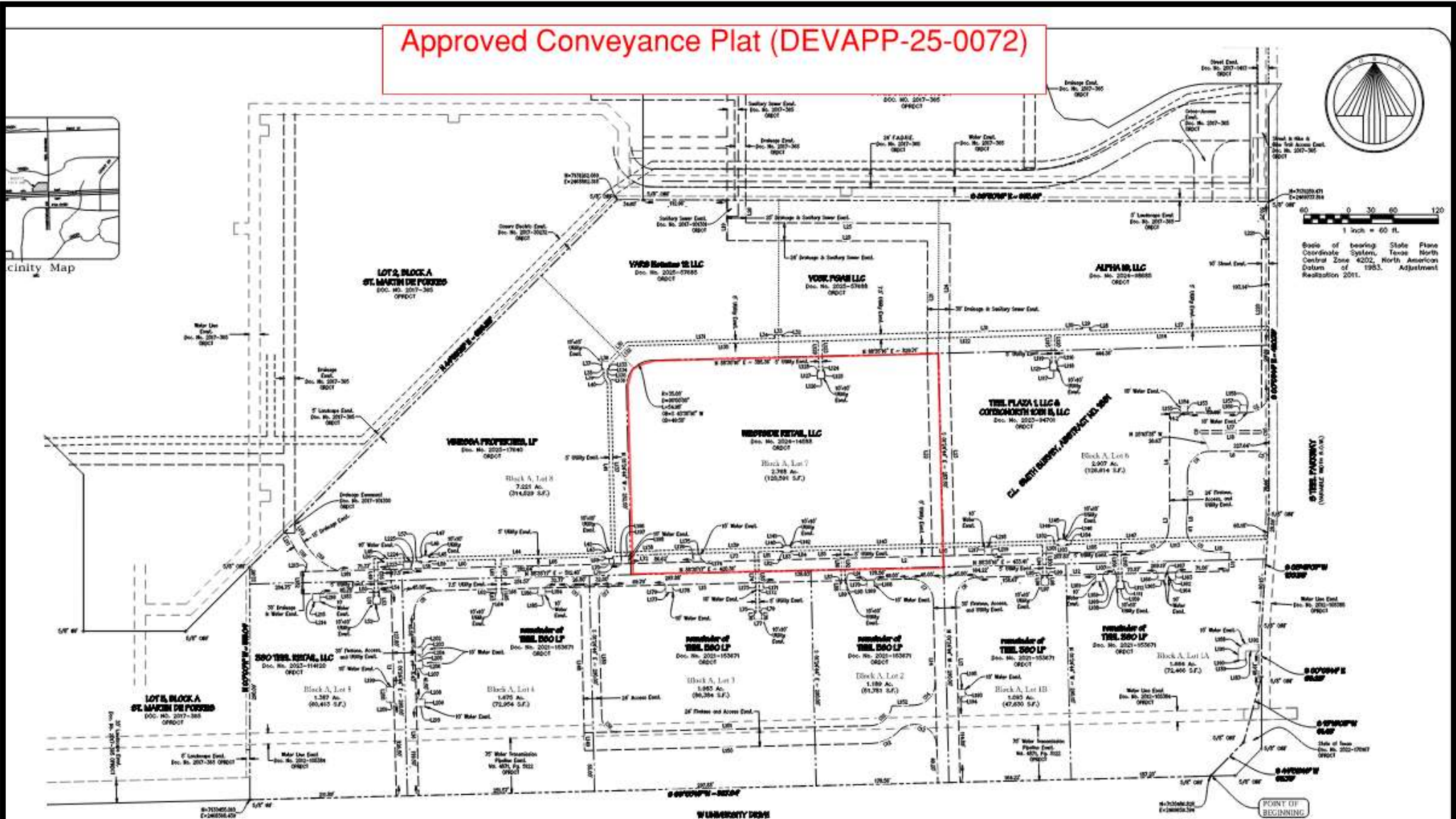
Finding Three:

- That the granting of the subdivision waiver will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this subdivision ordinance.
 - This lot is centered in the development and will not affect the orderly subdivision of other lands.

Recommendation:

- Town Staff recommends approval of the lot frontage waiver.
- The Planning & Zoning Commission unanimously recommended approval of this item by a vote of 6-0 (Chair Daniel absent) at their meeting on September 2, 2025.





Approved Site Plan (DEVAPP-24-0006)

