



## PLANNING

**To:** Planning & Zoning Commission

**From:** Dakari Hill, Senior Planner

**Through:** David Hoover, AICP, Director of Development Services

**Cc:** Suzanne Porter, AICP, Planning Manager

**Re:** Lot Frontage Waiver for Frontier South, Block A, Lot 3

**Meeting:** June 17, 2025

**Item No. 3e**

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### **Agenda Item:**

Consider and act upon a request for a Waiver for Lot Frontage on Frontier South, Block A, Lot 3, on 1.7± acres, located on the west side of Preston Road and 500± feet north of Coleman Street. (WAIV-25-0003)

### **Description of Agenda Item:**

The conceptual plan in the approved Planned Development-116 showed four lots in total with two of the lots not having frontage onto public right-of-way. The proposed preliminary site plan shows three lots with one lot, Lot 3, not having frontage onto public right-of-way. In Article 10.03, Section 137 (§ 10.03.137) of the Town's Subdivision Ordinance, it is acknowledged that certain nonresidential developments may contain lots that cannot achieve access to a public street and allows for Town Council to grant a waiver if adequate access including required fire lanes are provided through dedicated public access easements from a public street. A subdivision waiver to regulations within the Subdivision Ordinance may be approved only when, in the decision-maker's opinion, undue hardship will result from strict compliance to the regulations.

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.

The following findings should be presented when evaluating a waiver request:

- That 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.

Additionally, waivers should meet the minimum degree of variation of requirements necessary to meet the objective of the applicant requesting the waiver and should not violate or conflict with any other valid ordinance, code, regulation, master plan or Comprehensive Plan of the town.

**Access:**

Access will be provided from Preston Road through internal cross access via proposed fire lane, drainage, access, and utility easements.

**Companion Item:**

As a companion item, the Preliminary Site Plan (DEVAPP-24-0128) is on this Planning & Zoning Commission agenda.

**Attachments:**

1. Location Map
2. Waiver Request Letter
3. Preliminary Site Plan (DEVAPP-24-0128)
4. Approved Conceptual Plan (Planned Development-116)

**Town Staff Recommendation:**

Town Staff recommends approval of the Lot Frontage Waiver.