# **CASE SUMMARY**

#### APPLICATION TYPE: SUBDIVISION

#### **FINAL PLAT**



Application Filed: 9/12/2024 Date of Revision:

Applicant: BENCHMARK ASSOCIATES, INC



#### PROPERTY INFORMATION

**General Location:** North of Westland Dr., east of Bream Dr.

Other Parcel Info.:

Tax ID Number: 153 D A 018, 019, 019.01 Jurisdiction: County

Size of Tract: 2.354 acres

Accessibility:

#### GENERAL LAND USE INFORMATION

**Existing Land Use:** 

**Surrounding Land Use:** 

Proposed Use: Density:

Planning Sector: Southwest County Plan Designation: SR (Suburban Residential)

Growth Policy Plan: Planned Growth Area

**Neighborhood Context:** 

### ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 10069 Westland Dr.

Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

#### ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)

Former Zoning:

Requested Zoning:

**Previous Requests:** 

**Extension of Zone:** 

**History of Zoning:** 

## PLAN INFORMATION (where applicable)

**Current Plan Category:** 

**Requested Plan Category:** 

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#### SUBDIVISION INFORMATION (where applicable)

Subdivision Name: Final Plat of Subdivision of Tragesser Properties

No. of Lots Proposed: 4 No. of Lots Approved: 4

Variances Requested: Increase the maximum number of lots on an Access Easement from 5 to 10 lots.

S/D Name Change:

#### OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

## PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Whitney Warner

Staff Recomm. (Abbr.): Approve the variance for plat approval to increase the maximum number of lots on an Access

Easement from 5 to 10 lots.

Staff Recomm. (Full):

1. The property has an existing 12 ft wide easement which serves 4 lots on the property and serves 5

lots east of the subject property (instrument #196411230000008). The proposal is to add one additional lot to the easement for a total of 10 lots.

2. The property owner does not own the 5 lots to the east, which also utilize the existing easement.

3. Granting this variance will not be detrimental to public safety, health, or welfare because this is a private dead-end driveway with low volumes of traffic. Engineering will not sign the plat until the pavement is widened on Lots 1, 2, and 3 at least one car length to allow for the passing of two vehicles

at a time.

Approve the final plat for four lots in the RA zone.

**Comments:** Section 3.03.C - Access Easement:

An access easement shall serve a maximum of five (5) lots. However, for residential properties, an access easement shall serve single-family dwelling, duplex, or attached dwelling unit (townhouse) lots only, provided it serves no more than ten (10) dwelling units.

The proposal is to add one additional lot to the easement for a total of 10 lots. The existing lots are single family residences or vacant lots. The RA zone permits single family homes by right. Duplexes and garage apartments would require a use on review.

The new lots will be for single family residences only to keep the number of dwelling units on one access easement to 10 units. Even though 10 lots are double the maximum number of lots allowed on an easement, up to 10 dwelling units are allowed. Since the new lots will be restricted to single family residences, Planning recommends allowing 10 lots on the existing access easement. The new plat is creating a 40 ft wide access easement over the existing easement to allow for road widening. Engineering will not sign the plat until the pavement is widened on Lots 1, 2, and 3 at least one car length to allow for the passing of two vehicles at a time. Lot 1 will increase the pavement width at the entrance on Westland Dr. Lots 2 and 3 will work out the location per the requirements of Engineering and Public Works.

Any further subdivisions or additional dwelling units over 10 lots or 10 units would require the creation of a private right-of-way. The private right-of-way would bring the pavement up to public road standards and require all lots currently accessing the easement to agree to it.

Action: Approved Meeting Date: 11/14/2024

**Details of Action:** 

**Summary of Action:** Approve the variance for plat approval to increase the maximum number of lots on an Access

Easement from 5 to 10 lots.

Date of Approval: 11/14/2024 Date of Denial: Postponements:

Date of Withdrawal: Withdrawn prior to publication?: 
Action Appealed?:

#### LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Court of Competent Jurisdiction

Date of Legislative Action: Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

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Disposition of Case:	Disposition of Case, Second Reading:
If "Other":	If "Other":
Amendments:	Amendments:
Date of Legislative Appeal:	Effective Date of Ordinance:

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