

CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

FINAL PLAT



File Number: 7-SD-25-F

Related File Number:

Application Filed: 5/28/2025

Date of Revision:

Applicant: DIEGO SANCHEZ

PROPERTY INFORMATION

General Location: Southeast side of Haggard Dr, northeast of North Park Blvd

Other Parcel Info.:

Tax ID Number: 70 J D 00701

Jurisdiction: City

Size of Tract: 0.822 acres

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Single Family Residential

Surrounding Land Use:

Proposed Use: Plat 8-Z-24

Density:

Planning Sector: East City

Plan Designation: LDR (Low Density Residential)

Growth Policy Plan: N/A (Within City Limits)

Neighborhood Context:

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

Street: 3146 HAGGARD DR

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential)

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name: Resubdivision of Lot 2 of Subdivision of Property of Juha A & Whitney L Miettinen

No. of Lots Proposed: 2 **No. of Lots Approved:** 2

Variances Requested: Allow a 25-ft permanent access and utility easement to connect to a 25-ft joint permanent easement instead of a public street (Subdivision Regulations, Section 3.03.A)

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Spencer Schmudde

Staff Recomm. (Abbr.): Approve the variance to allow a 25-ft permanent access and utility easement to connect to a 25-ft joint permanent easement instead of a public street based on the following evidence of hardship:

Staff Recomm. (Full):

1. Lot 2 was a flag lot connected to Haggard Dr by an access strip in the same location as the existing joint permanent easement. A 2007 plat split Lot 1 into 1A and 1B, and a subsequent 2010 replat removed the access strip that connected Lot 2 to Haggard Dr and created the joint permanent easement.
2. There is an existing driveway over proposed Lot 2R-1 extending from the joint permanent easement. This portion of the driveway is not part of the current agreement and the new owner does not want an additional lot added to the existing joint permanent easement.
3. Granting of the variance would not be detrimental to the public safety, health or welfare of the public, nor would it be injurious to other properties in the neighborhood as the driveway already exists and traffic would be minimally impacted by the addition of one home.

Comments: Approve the resubdivision plat for two lots in the RN-1 district.

The final plat for the "Subdivision of Property of Juha A. & Whitney L. Miettinen" was recorded in 1995 (Instrument 1995102700666) and created Lots 1 and 2. A resubdivision plat splitting Lot 1 into Lots 1A and 1B was recorded in 2007 (Instrument 200705080091548). A replat of Lot 1A and Lot 1B was recorded in 2010 (Instrument 201002250054929) and removed the access strip that connected Lot 2 to Haggard Dr and created the joint permanent easement. Lot 1B was sold in 2014 and the new owner does not want an additional lot added to their easement agreement, which restricts any subdivision of Lot 2.

VARIANCE FROM SUBDIVISION REGULATIONS, ARTICLE 3.03, ACCESS STANDARDS, SUBSECTION A:

All lots shall have either frontage on a public street in accordance with Article 3.03.B of these Regulations or approved access to a public street by ONE of the following:

1. Access to a public street by an approved access easement;
2. Access to a public street by an approved private right-of-way;
3. Access to a public street by a previously approved joint permanent easement;
4. Access provided to a public street through some other legally binding document approved by the Planning Commission.

Such access shall provide a readily apparent physical means of traversable pedestrian and vehicular access from the lot(s) onto the street and shall meet the standards identified in Sections B-G.

In this case, Lot 2R-2 will have access to a public street by utilizing two of the options: a private right-of-way (formerly known as a joint permanent easement) and an access easement. Because the owner of Lot 1B does not want an additional lot added to the existing easement agreement, an additional access easement is necessary for Lot 2R-2 to be accessible from Haggard Dr.

Action: Approved **Meeting Date:** 8/14/2025

Details of Action:

Summary of Action: Approve the variance to allow a 25-ft permanent access and utility easement to connect to a 25-ft joint permanent easement instead of a public street based on the following evidence of hardship:

Date of Approval: 8/14/2025 **Date of Denial:** **Postponements:** 7/10/2025

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:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: