

RESOLUTION NO. R2024-86

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING VARIANCES TO THE CODE OF ORDINANCES, SECTION 98-42 – TRANSPORTATION IMPROVEMENTS AND SECTION 98-48 – BLOCKS AND LOTS FOR THE PROPOSED PRELIMINARY PLAT OF THE RESERVE AT BURNET SUBDIVISION

WHEREAS, Code of Ordinances, Section 98-42, imposes lengths for cul-de-sacs within the Subdivision; and

WHEREAS, Code of Ordinances, Section 98-48, imposes requirements for residential block lengths; and

WHEREAS, the applicant has petitioned for a variance to the Code of Ordinances; and

WHEREAS, the Planning and Zoning Commission has recommended the variance be granted.

NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section One. Recitals. The recitals set out above are hereby approved and incorporated herein for all purposes.

Section Two. Findings. As required by City Code Sec. 98-82 City Council finds:

- Granting the variance is not contrary to the public interest: **by developing the larger lots, which creates the longer cul-de-sac roads and excess block lengths, it allows the developer to save a significant amount of trees which is not contrary to the public's interest.**
- The literal enforcement of this chapter would result in unnecessary hardship: **due to the topography and the large outcroppings of granite in the area, the literal enforcement of the code would result in unnecessary hardship.**
- The variance observes the spirit of the ordinance and concludes that substantial justice is done: **staff has determined that all other requirements of the code are adhered to and therefore, the spirit of the ordinance is observed and substantial justice is done.**

Section Three. Approval. The variance request is hereby approved and granted.

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

Section Five. Effective Date. That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

PASSED AND APPROVED on this the 10th day of December 2024.




CITY OF BURNET, TEXAS



Gary Wideman, Mayor

ATTEST:



Maria Gonzales, City Secretary

Variance Request



June 10, 2024

David Vaughn, City Manager
City of Burnet
1001 Buchanan Drive, Suite 4
Burnet, TX 78611

**RE: THE RESERVE AT BURNET: PRELIMINARY PLAT
CITY OF BURNET, TEXAS
CCL: 23-052**

**SUBJECT: BLOCK LENGTH, LOT DEPTH/WIDTH RATIO, AND CUL-DE-SAC LENGTH
VARIANCE REQUEST**

Dear Mr. Vaughn,

On behalf of our Client, The Reserve at Burnet, LLC, we respectfully request the following variances from the City of Burnet Code of Ordinances. The City of Burnet Subdivision Regulations Section 98-48(1)(b) requires a maximum block length of 600 feet. Section 98-48(2)(g) requires a maximum lot depth/width ratio of 2.5:1. Section 98-42(b)(8) requires a maximum cul-de-sac length of 600 feet.

Below is a brief summary of the justifications for consideration of this request:

- a. *The public convenience and welfare will be substantially served.*
Granting of these geometric exceptions allows orderly development and serves the convenience and welfare of the public.
- b. *The appropriate use of surrounding property will not be substantially or permanently impaired or diminished.*
The use of surrounding property is not impaired or diminished by the granting of these geometric variances.
- c. *The applicant has not created the hardship from which relief is sought.*
The hardship is due to two large natural existing drainageways traversing the Site. The intent of the development is to avoid disturbance and of these riparian corridors and leave them in a natural state. The proposed road geometry efficiently serves the development and lowers the overall density.
- d. *The variance will not confer upon the applicant a special right or privilege not commonly shared or available to the owners of similar and surrounding property.*

The proposed layout demonstrates features and geometry found in similar developments in the City of Burnet.

- e. *The hardship from which relief is sought is not solely of an economic nature.*

The hardship is due to two large existing drainageways traversing the Site. The intent of the development is to avoid disturbance and of these riparian corridors and leave them in a natural state. The street and lot geometry provides an ergonomic alternative to strict compliance with Code.

- f. *The variance is not contrary to the public interest.*

The granting of these variances is not contrary to the public interest. The layout provides safe access to lots and avoids disturbance of the existing drainageways.

- g. *Due to special conditions, the literal enforcement of this Chapter would result in an unnecessary hardship.*

To meet the block length, lot depth/width ratio, and cul-de-sac length requirements, the applicant would disturb the two existing natural drainageways as discussed above. The proposed layout allows for larger lots (>1.5 acres) to be developed in these granite outcrop areas.

- h. *In granting the variance the spirit of the Ordinance is observed and substantial justice is done.*

The alternate design achieves safe access, provides large lots, and meets the intent of the City of Burnet Subdivision Regulations and enhances the residential community of Reserve at Burnet.

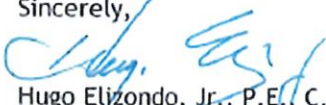
We hereby request a variance to allow a block length of approximately 14,633 feet for Block A, and 851 feet for Block B, 984 feet for Block C.

We hereby request a variance to allow a lot depth/width ratio greater than 2.5:1 for lots 3, 5, 7, 28, 29, 51, 52, 57, 72, 81, 82, and 83.

We hereby request variance to allow a maximum cul-de-sac length of approximately 663 for Parker Lane.

We appreciate your consideration of this request.

Sincerely,



Hugo Elizondo, Jr., P.E., C.F.M.
Principal

xc: Prem Kalidindi, The Reserve at Burnet, LLC.