

RESOLUTION NO. R2022-10

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING A VARIANCE TO THE CODE OF ORDINANCES, SECTION 98-42 – TRANSPORTATION IMPROVEMENTS AND THE TECHNICAL CONSTRUCTION STANDARDS, SECTION 290 – STREET LIGHTS FOR THE PROPOSED PRELIMINARY PLAT OF HEADWATERS OF THE SAN GABRIEL, PHASE TWO

Whereas, Code of Ordinances, Section 98-42, imposes lengths for culs-de-sac within the Subdivision; and

Whereas, Technical Construction Standards Section 290, imposes streetlight construction requirements within the Subdivision; and

Whereas, the City of Burnet Fire Chief and Fire Marshal have reviewed the requested variances and are in support; and

Whereas, the subdivision has limited access and is landlocked on three sides; and

Whereas, the applicant has petitioned for a variance to stay consistent with the existing development of the Headwaters of the San Gabriel, Phase One; 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 to this Resolution are 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: **as streetlights are not installed in Headwaters of San Gabriel, Phase One and the subdivision is in a rural, gated area with limited traffic and access to the property.**
- The literal enforcement of this chapter would result in unnecessary hardship: **as the installation of streetlights would interfere with neighboring property owners', the property is landlocked only allowing one entrance onto the property and the additional length of the culs-de-sac allows for better use of the land.**
- The variance observes the spirit of the chapter and concludes that substantial justice is done: **By granting this variance, the spirit of the code is observed, ad substantial justice is done**

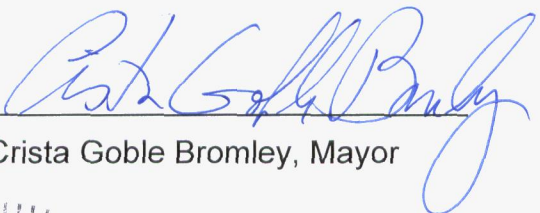
Section three. Approval. The variance request is hereby approved and granted.

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. This resolution shall take effect immediately upon its passage, and approval as prescribed by law.

PASSED AND APPROVED this the 25TH day January 2022.

CITY OF BURNET, TEXAS


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary

