

## RESOLUTION NO. R2023-37

### A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING A VARIANCE TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS AND LOTS FOR THE PROPOSED PRELIMINARY PLAT OF PATRIOT OAKS SUBDIVISION

**Whereas**, Code of Ordinances, Section 98-48, imposes lengths for residential blocks within the Subdivision; and

**Whereas**, Code of Ordinances, Section 98-42, requires future access between tracts of land; and

**Whereas**, the applicant has petitioned for a variance to allow for the development of a large lot subdivision within the property; and

**Whereas**, the subdivision has limited access and is landlocked on three sides; 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.** That 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: **approving the variance allows the development of a large lot subdivision, within the ETJ, which has limited access and currently does not have other options for inter-connectivity.**
- The literal enforcement of this chapter would result in unnecessary hardship: **as the property is landlocked by other rural properties which only allows one entrance onto the property and the additional length of the road 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.

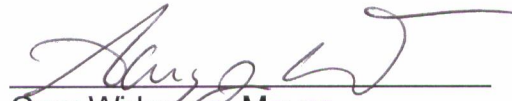
**Section four. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

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

**PASSED AND APPROVED** this the 13<sup>th</sup> day of June 2023.

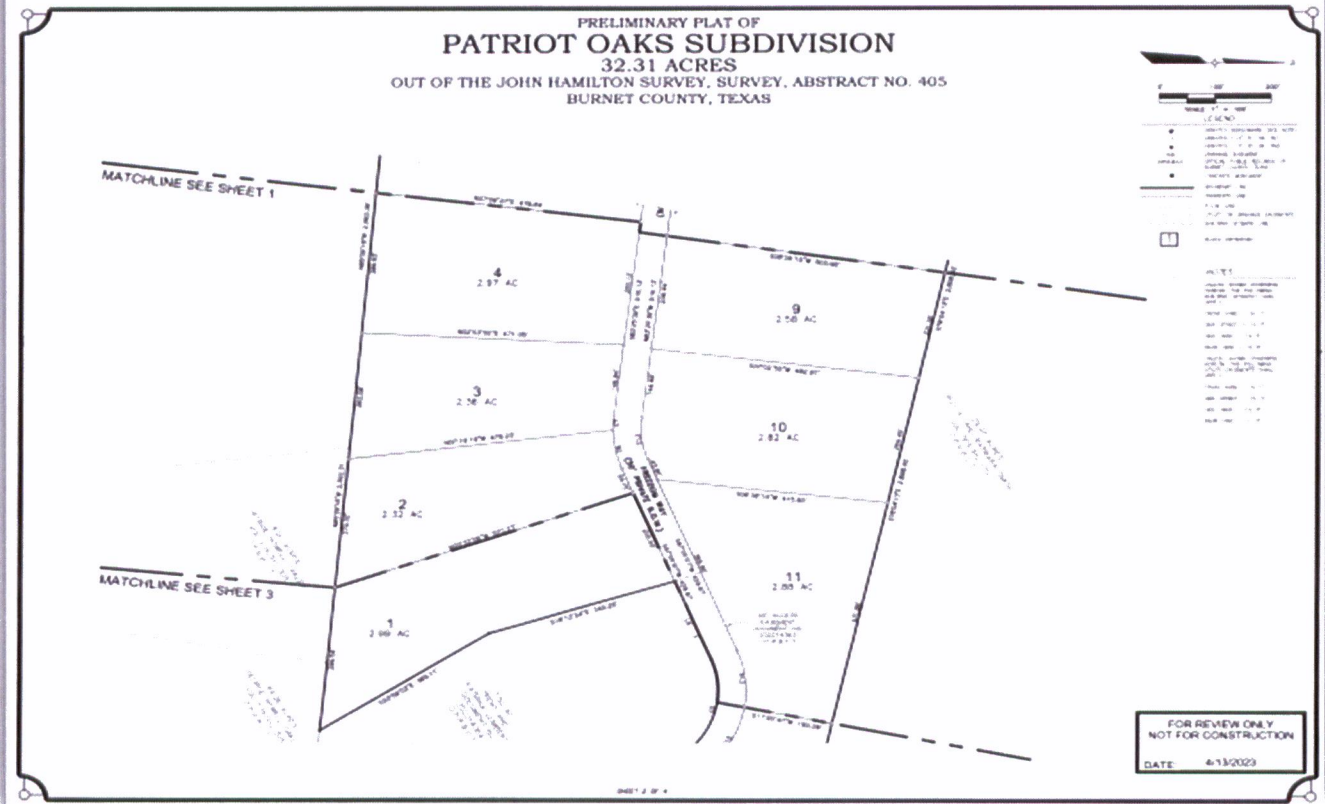
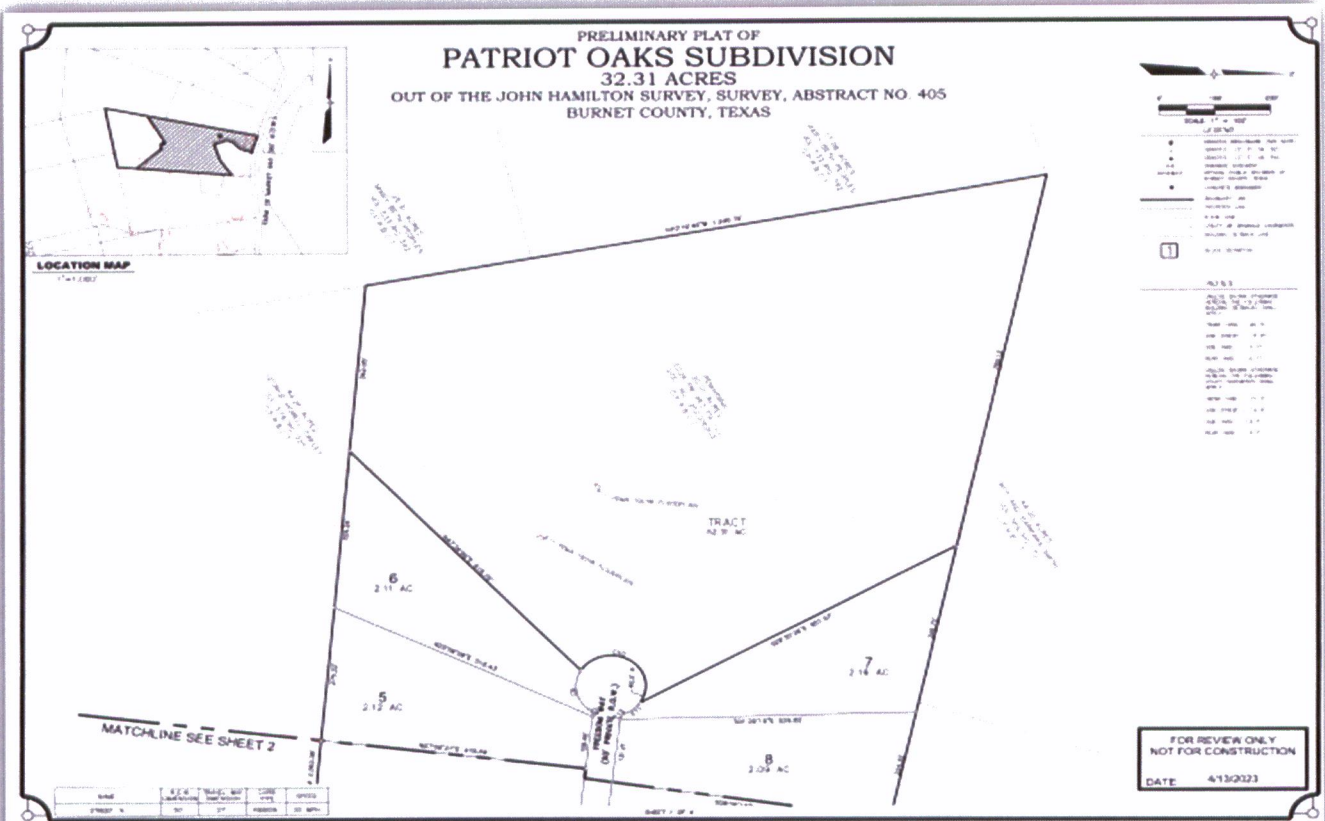
**CITY OF BURNET, TEXAS**

**ATTEST:**

  
\_\_\_\_\_  
Gary Wideman, Mayor

  
\_\_\_\_\_  
Kelly Dix, City Secretary

# Exhibit "A" Plat



# Plat Page 2

