

RESOLUTION NO. R2023-43

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS REGARDING THE DEVELOPMENT OF DELAWARE SPRINGS SECTION 19 PHASE 4

Whereas; Delaware Springs Section 19, Phases 1, 2 and 3 are existing single-family subdivisions located within the City of Burnet; and

Whereas, Delaware Springs Section 19, Phase 4 is a proposed single-family subdivision adjacent to Delaware Springs Section 19, Phases 1, 2 and 3; and

Whereas, the preliminary plat of Delaware Springs Section 3 was previously approved by the City Council and during the construction plans development process the project's civil engineer discovered the stormwater detention facilities were insufficient to address the increase stormwater from a fully built out Delaware Springs Sections 1, 2, 3 and 4, thereby resulting in additional expense to the Developer; and

Whereas, the previous Developer granted a Public Utility Easement on the north property boundary of Phase 4 at no cost to the city, resulting in a single sided road with homes on only one side, thereby doubling the Developers cost for each lot.

Whereas, the City desires to have the road for Phase 4 run parallel to the Public Utility Easement and eliminate the possibility of overhead power lines in back yard; and

Whereas, the Developer is willing to widen the proposed rights-of-way to encompass the Public Utility Easement in order to save additional trees and require the Homes Owners Association to maintain said rights-of-way; and

Whereas, Developer's willingness to grant the city's request will result in a single sided road with homes on only one side, thereby doubling the Developers cost for each lot; and

Whereas, Developer has agreed to accept a waiver of the City's tree mitigation requirements as consideration for the additional expenses they will incur as described herein.

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

Section one. Findings. The recitals to this Resolution are incorporated herein for all purposes.


Section two. Authorization. In consideration for Developer's concessions as described in the recitals, a waiver (variance) is hereby granted to the City of Burnet Code of Ordinance Section 98-22.(d).(3).h.1-3 and Section 98-23.(c).(11) for Delaware Springs, Section 19, Phase 4.

Section three. 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.

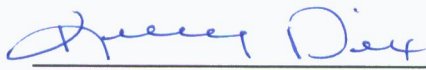
PASSED AND APPROVED this the 13th day of June, 2023.

CITY OF BURNET, TEXAS



Gary Wideman, Mayor

ATTEST:



Kelly Dix, City Secretary

