

**RESOLUTION NO. R2023-76**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING VARIANCES TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS FOR THE PROPOSED PRELIMINARY PLAT OF SPRINGSIDE ESTATES SUBDIVISION**

**Whereas**, Code of Ordinances, Section 98-48, imposes lengths for residential blocks within the Subdivision; 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.** 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 developer to maximize the use of the land while still preserving the surrounding golf course and municipal airport.**
- The literal enforcement of this chapter would result in unnecessary hardship: **due to the proposed subdivision's unique size and shape due to the surrounding airport and golf course, the literal enforcement of this chapter 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.

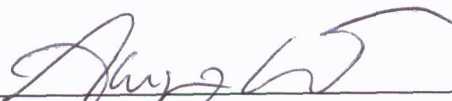
**Section four. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.


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

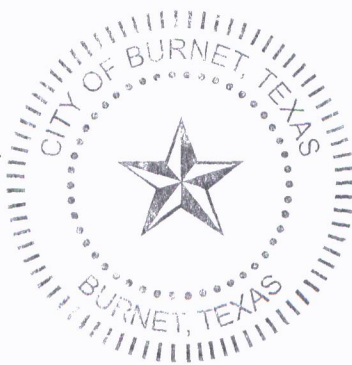
**PASSED AND APPROVED** this the 14<sup>th</sup> day of November 2023.

**CITY OF BURNET, TEXAS**

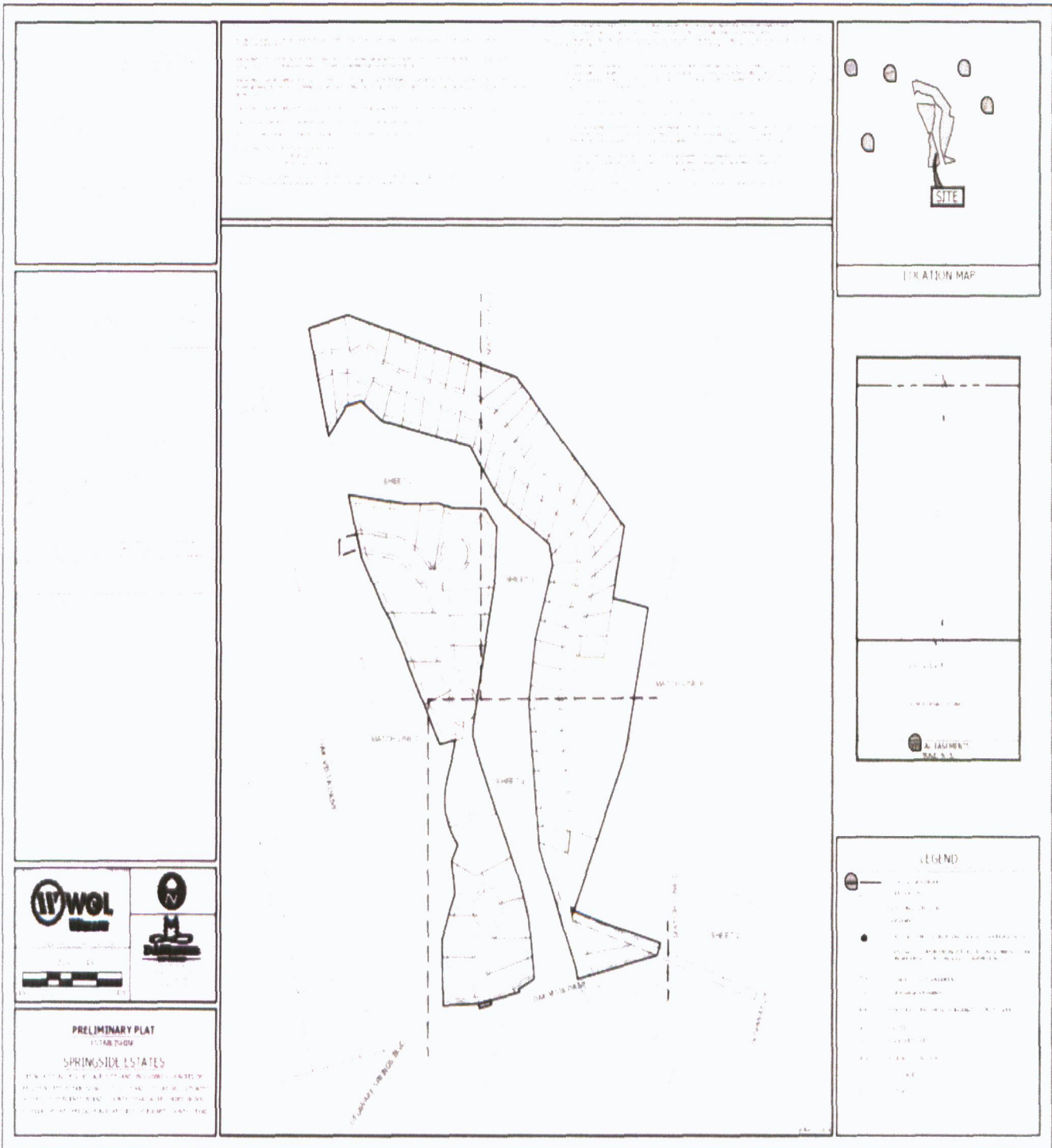
**ATTEST:**

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

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

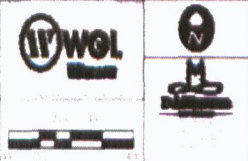


# Exhibit "A" Plat Page 1



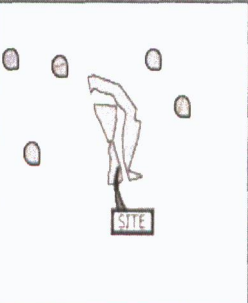
THIS PRELIMINARY PLAT IS SUBJECT TO THE APPROVAL OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, CALIFORNIA, AND TO THE RECORDATION OF THE SAME IN THE PUBLIC RECORDS OF SAID COUNTY.

THESE LOTS ARE OFFERED FOR SALE SEPARATELY OR TOGETHER AS A WHOLE. THE BUYER SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

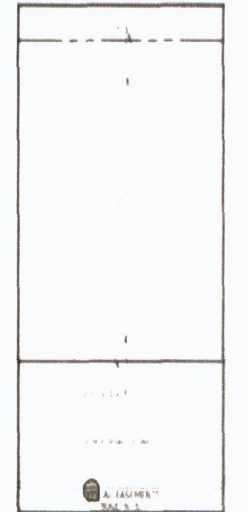


**PRELIMINARY PLAT**  
 17/18/2010  
**SPRINGSIDE ESTATES**  
 THE TOTAL AREA OF THIS PLAT IS APPROXIMATELY 100 ACRES. THE LOTS ARE OFFERED FOR SALE SEPARATELY OR TOGETHER AS A WHOLE.

THESE LOTS ARE OFFERED FOR SALE SEPARATELY OR TOGETHER AS A WHOLE. THE BUYER SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



LOCATION MAP



**LEGEND**

(Symbol)	LOT
(Symbol)	STREET
(Symbol)	BOUNDARY
(Symbol)	EXISTING IMPROVEMENTS
(Symbol)	PROPOSED IMPROVEMENTS
(Symbol)	UTILITY LINES
(Symbol)	WATER
(Symbol)	SEWER
(Symbol)	POWER
(Symbol)	TELEPHONE
(Symbol)	RAILROAD
(Symbol)	ROAD
(Symbol)	UNIMPROVED
(Symbol)	IMPROVED











## Exhibit "B" – Requested Variance



July 27, 2023

*Variance Request Review*  
City of Burnet  
Development Services Department  
1001 Buchanan Drive, Suite 4  
Burnet, TX 78611

Re: Springside Estates  
Preliminary Plat  
Code of Ordinances  
Chapter 98, Section 48 - Blocks and Lots

To whom it may concern,

We are requesting a variance exception to the block length requirement as identified in the City of Burnet Code of Ordinances Section 98-48(1)(b), stating residential blocks shall not exceed 600 feet nor be less than 300 feet in length, except as otherwise provided for herein.

Springside Lane and Carlton Street will be a local residential streets within the proposed Springside Estates subdivision. Springside's length from Oak Vista Drive to the proposed cul-de-sac, Parkside Road is approximately 777-feet and the length from Parkside Road to the the cul-de-sac is approximately 527-feet. Carlton Street's length from Delaware Springs Boulevard to the proposed "New Road C" intersection is approximately 1,900-feet and the length from "New Road C" to the Oak Vista Drive intersection is approximately 1,560-feet.

*Under the terms of Section 98-82, A variance to the provisions of this chapter shall be considered an exception to the regulations, rather than a right. Whenever a tract to be developed is of such unusual size or shape or is surrounded by development of such unusual conditions that the strict application of the requirements contained in this chapter would result in substantial hardship or inequity.* The proposed subdivision is bound on the eastern and western sides by the Delaware Springs Golf Course, due to the project's vicinity to the golf course along with the recently enacted "Municipal Golf Course Vegetative Buffer Requirements", the developable area for this Springside Estates is severely limited and cross connectivity is not feasible through the golf course property. The property in question is currently zoned Single-family Residential – District R-1 which establishes lot depth, width, and area requirements for the development.

The Springside Estates subdivision design is driven by constraints imposed by the existing street system and the subject property's size and configuration. The subdivision's design is consistent with the closely adjacent residential developments in the area and smoothly meshes with the existing street system and topography.

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In conclusion,

- The public convenience and welfare will be substantially served.
- The Springside Estates subdivision design meshes with adjacent residential development and the existing street system with the intent that the appropriate use of surrounding property will not be substantially or permanently impaired or diminished.
- The design constraints imposed on this subdivision are imposed by the property configuration, existing topography, existing street system and adjacent development limitations. Therefore, the applicant has not self-imposed this hardship.
- Granting this variance will allow for a subdivision design that meshes with existing street and drainage patterns and aligns with adjacently developed residential subdivisions. This variance will not confer upon the applicant a special right or privilege not commonly shared by similar and surrounding property.
- The subdivision design is based on property configuration, existing topography, and existing street systems. These factors are not economic in nature.
- Based on factors already addressed in this report, granting the variance will not be contrary to the public interest.
- Due to special conditions, the literal enforcement of this chapter would result in an unnecessary hardship as the configuration of this property limits the developable area. The subdivision design is intended to provide efficient use of the land available to the property owners, while protecting the value, use and enjoyment of surrounding properties.
- In our professional opinion, the proposed administrative exception/variance remains in harmony with the spirit and intent of the UDC as it will not adversely affect the health, safety, or welfare of the public.

We appreciate your consideration regarding this matter. If you have any questions, please feel free to contact our office.

Sincerely,

**WGI, Inc.**

Texas Engineering Firm No. F-15085

Erin Sandoval, E.I.T.  
Senior Graduate Engineer

