

RESOLUTION NO. R2024-25

**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 DELAWARE SPRINGS SUBDIVISION, SECTION 25**

**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 the depth to width ratio of residential lots; 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 property to be developed in the most advantageous way and is not contrary to the public interest.**
- The literal enforcement of this chapter would result in unnecessary hardship: **due to the surrounding golf course, which created the property to be landlocked, and the linear configuration of the property, the literal enforcement 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 23<sup>rd</sup> day of April 2024.

**CITY OF BURNET, TEXAS**

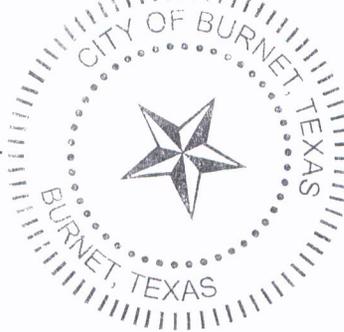
  
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Gary Wideman, Mayor

**ATTEST:**

  
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Kelly Dix, City Secretary





## Exhibit "B" – Requested Variance



April 12, 2024

Mayor Crista Goble Bromley  
City of Burnet  
1001 Buchanan Drive, Suite 4  
Burnet, TX 78611

**RE: DELAWARE SPRINGS SECTION 25  
CITY OF BURNET, TEXAS  
CCL: 21-284**

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

Dear Mayor Bromley,

On behalf of our Client, Delaware Springs Ranch Investments, LLC, represented by Jordan Shipley, we respectfully request a variance from the City of Burnet. The City of Burnet Subdivision Regulations require a maximum block length of 600 feet [Section 98-48(1)(b)], a maximum lot depth/width ratio of 2.5:1 [Section 98-48(2)(g)], and a maximum cul-de-sac length of 600 feet [Section 98-42(b)(8)].

- a. Delaware Springs Section 25 has less than thirty (30) residential lots. Therefore, one entrance meets Fire Code and substantially serves the public convenience and welfare.
- b. By not providing a connection to the Golf Course, the adjacent property will not be substantially or permanently impaired or diminished.
- c. The applicant has not created a hardship. The proposal of one connection to Delaware Springs Boulevard was recommended by City Staff and stub outs to the Golf Course are prohibited.
- d. These variances do not confer a special right or privilege upon the Applicant. Section 25 does not provide a right-of-way connection to the golf course, as this is typical for the Delaware Springs Development.
- e. The requested variances are not of an economic nature.
- f. The proposed layout utilizes similar lot sizes/features found in Delaware Springs and follows recommendations by City Staff. Therefore, the variances are not contrary to the public interest.
- g. Due to the irregular shape of this tract and request made by City Staff, the requested variances make it achievable for the remainder of this development to maintain compliance with City of Burnet Subdivision Regulations.
- h. The alternate design generally achieves the intent of the City of Burnet Subdivision Regulations and aligns with other section of Delaware Springs.