

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, FOR APPROVAL OF A COMMERCIAL SITE PLAN FOR A FOOD AND BEVERAGE SALES STORE WITH A VARIANCE TO CHAPTER 63, SIGN REGULATIONS, RELATING TO PYLON SIGNAGE AT 1679 SW WILSHIRE.

WHEREAS, the City of Burleson, Texas (“City”), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, an application for commercial site plan with a variance related to pylon signage was filed by Julie Baum on February 19, 2024, under Case Number 24-14, on property described herein below filed application with the City; and

WHEREAS, on June 3, 2024, the City Council made an inquiry into the matter and reviewed all the relevant information, and

WHEREAS, City Council has determined that commercial site plan meets the requirements of Section 131 of Article V of Appendix B, Site Plan Requirements.; and

WHEREAS, Chapter 63, Sign Regulations, of the City of Burleson Code of Ordinances (2005) regulates the location, size, construction, erection, duration, use, and maintenance of signs within the jurisdiction of the City; and

WHEREAS, on June 3, 2024, the City Council made an inquiry into the matter and reviewed all the relevant information, and

WHEREAS, the City Council finds and determines that special conditions exist that are peculiar to the land, structure or building involved and are not applicable to other lands, buildings or structures in the same vicinity; and

WHEREAS, City Council finds and determines that the strict interpretation of Chapter 63 would deprive the applicant of rights commonly enjoyed by other properties in the vicinity under the terms of Chapter 63; and

WHEREAS, City Council finds and determines that the special conditions and circumstances do not result from the actions of the applicant(s) and such conditions and circumstances do not merely constitute pecuniary hardship or inconveniences; and

WHEREAS, City Council finds and determines that granting the variance will meet the objectives of the ordinance and not be injurious to the adjoining property owners or otherwise detrimental to the public welfare; and

WHEREAS, City Council finds and determines that the request will be the minimum variance

necessary to alleviate the special hardship or practical difficulties faced by the applicant in meeting the requirements of Chapter 63; and

WHEREAS, City Council has determined that granting the variance will be in harmony with the spirit and purpose of Chapter 63; and

WHEREAS, the City Council finds and determines the conditions attached to the variance, if any, are necessary to achieve the purpose of Chapter 63.

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

Section 1.

City Council hereby approves a commercial site plan (Case 23-114) for a food and beverage sales store as shown on Exhibit "A"; and

City Council hereby grants a variance to Section 63-57 (a) of Chapter 63, Sign Regulations, of the City of Burleson Code of Ordinances (2005) limiting the maximum square feet of a multi-tenant sign, to 150 square feet, to allow a maximum of 540 square feet per multi-tenant pylon sign as shown on Exhibit "B"; and

City Council hereby grants a variance to Section 63-57 (c) of Chapter 63, Sign Regulations, of the City of Burleson Code of Ordinances (2005) limiting the maximum height of a multi-tenant sign, to 25 feet, to allow a maximum height of 30 feet per multi-tenant pylon sign as shown on Exhibit "B"; and

City Council hereby grants a variance to Section 63-57 (d) of Chapter 63, Sign Regulations, of the City of Burleson Code of Ordinances (2005) limiting the number of pylon signs to one per premises, to allow for two pylon signs as shown Exhibit "B"; and

Except as otherwise specified above or as shown on Exhibit "B", all other conditions, regulations, procedures, and rules of Chapter 63, Sign Regulations, of the City of Burleson Code of Ordinances (2005), as amended, shall apply to the signs at 1679 SW Wilshire Blvd.

Section 2.

This resolution shall take effect immediately from and after its passage.

PASSED, APPROVED, AND SO RESOLVED by the City Council of the City of Burleson, Texas, on the _____ day of _____, 20____.

Chris Fletcher, Mayor

City of Burleson, Texas

ATTEST:

APPROVED AS TO LEGAL FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

Exhibit "B" Pylon Signage

