

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, FOR A VARIANCE TO SECTION 5.5.E “PARKING LOT/SITE LAYOUT DESIGN CRITERIA” OF THE DESIGN STANDARDS MANUAL AS AMENDED BY RESOLUTION R-1175-10 FOR THE PARKING LOT DESIGN WITHIN 4139 S. BURLESON BLVD.

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, Section 5.5.E “Parking Lot/Site Layout Design Criteria” of the Design Standards Manual as amended by Resolution R-1175-10 regulates parking lot design within the jurisdiction of the City; and

WHEREAS, on October 3, 2022, an application was submitted by Daniel Welling with Welling Investments Inc. for a waiver to maintain the existing flexbase in lieu of bringing the parking lot up to six inches of asphalt on six inches of stabilized soil or five inches of concrete on six inches of stabilized soil for the parking lot section at 4139 S Burleson Blvd, under case number 22-139; and

WHEREAS, on February 6, 2023, the City Council made an inquiry into the matter and reviewed all the relevant information at a duly called public meeting, and

WHEREAS, City Council has determine 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, the strict interpretation of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the vicinity under the terms of this chapter; and

WHEREAS, 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 has determined 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 has determined 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 this chapter; and

WHEREAS, City Council has determined that granting the variance will be in harmony with the spirit and purpose of this chapter.

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

Section 1.

City Council grants a variance to Section 5.5.E “Parking Lot/Site Layout Design Criteria” of the Design Standards Manual as amended by Resolution R-1175-10 for the parking lot design within 4139 S. Burleson Blvd with the following condition:

1. Provides a site plan demonstrating the required number of parking stalls for the proposed use at time of Certificate of Occupancy.

Except as otherwise specified above, all other conditions, regulations, procedures, and rules of Section 5.5.E “Parking Lot/Site Layout Design Criteria” of the Design Standards Manual as amended by Resolution R-1175-10, shall apply to the parking lot design within 4139 S Burleson 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