

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, FOR APPROVAL OF A COMMERCIAL SITE PLAN FOR A PAINT BOOTH FOR THE EXISTING BUSINESS WITH A VARIANCE TO CHAPTER 5 OF THE ENGINEERING DESIGN STANDARDS MANUAL; STREETS AND SITE STANDARDS, RELATING TO THE STORAGE/LAYDOWN YARD BEING TXDOT FLEXABLE BASE FOR THE DEVELOPMENT AT 6933 SHELMORE ROAD.

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 the minimum driveway spacing was filed by **Juan Serrano**; on **October 13, 2025**, under **Case Number CSP25-299**, on property described herein below filed application with the City; and

WHEREAS, on March 23, 2026, 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 5 of the Engineering Design Standards Manual; Streets and Site Standards requires Parking lots to be constructed with a minimum thickness of 6 inches HMA or 5 inches reinforced concrete. All Parking lots shall be constructed on a 6” lime or cement stabilized base or as directed by the design engineer. Where parking lot drive aisles serve as fire lanes, the fire lane standard (P-11 in Appendix R) shall apply to the fire lane; and

WHEREAS, on March 23, 2026, 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 5 of the Engineering Design Standards Manual; Streets and Site Standards would deprive the applicant of rights commonly enjoyed by other properties in the vicinity under the terms of Appendix B; 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 5 of the Engineering Design Standards Manual; Streets and Site Standards; and

WHEREAS, City Council has determined that granting the variance will be in harmony with the spirit and purpose of Chapter 5 of the Engineering Design Standards Manual; Streets and Site Standards; and

WHEREAS, the City Council finds and determines the conditions attached to the variance, if any, are necessary to achieve the purpose of Chapter 5 of the Engineering Design Standards Manual; Streets and Site Standards.

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 (CSP25-299) for a building expansion to include a paint booth as shown on Exhibit "A"; and

City Council hereby grants a variance to Chapter 5 of the Engineering Design Standards Manual; Streets and Site Standards for to allow for the use of TxDot flexible base for parking/storage/laydown yard; and

Except as otherwise specified above or as shown on Exhibit "A", all other conditions, regulations, procedures, and rules Chapter 5 of the Engineering Design Standards Manual; Streets and Site Standards, and of the City of Burleson Code of Ordinances (2005), as amended, shall apply to the buildings at 6933 Shelmor Road.

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

