

## **RESOLUTION**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, FOR A WAIVER TO APPENDIX B, ARTICLE V, SUPPLEMENTAL REGULATIONS, TO ALLOW FOR THE INSTALLATION OF A DETACHED ACCESSORY STRUCTURE IN FRONT OF THE MAIN BUILDING AT 137 S. WILSON STREET.**

**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**, Appendix B, Article V, Supplemental Regulations, Chapter 132, General yard requirements, Section 132-115, Accessory building and structures yard regulations, of the City of Burleson Code of Ordinances (2005) purpose is to establish zoning regulations and districts in accordance with a the city's comprehensive land use plan in order to promote the health, safety, morals and the general welfare of the city.; and

**WHEREAS**, on February 5, 2024, an application was submitted by Derek Scheler requesting a Commercial Site Plan with a waiver to allow for the installation of a detached accessory structure in front of the main building at 137 S. Wilson Street (Case 24-041), and

**WHEREAS**, on April 09, 2024, the Planning and Zoning Commission made an inquiry into the matter and reviewed all the relevant information at a duly called public meeting, and made a recommendation of approval of the proposed Commercial Site Plan with waiver; and

**WHEREAS**, on April 15, 2024, the City Council made an inquiry into the matter and reviewed all the relevant information at a duly called public meeting, and

**WHEREAS**, the City Council finds and determines that there are individual circumstances, such as the presence of existing facilities or unusual topography, that limit the applicant's ability to comply with the supplemental regulations; and

**WHEREAS**, the City Council finds and determines the conditions attached to the waiver, if any, are necessary to achieve the purpose of Appendix B, Article V of Chapter 132 of the City of Burleson Code of Ordinances.

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

#### **Section 1.**

City Council hereby grants a waiver to Section 132-115(a) of Article V, Supplemental Regulations, of Appendix B, Zoning, of the City of Burleson Code of Ordinances (2005) to allow for the installation of a detached accessory structure in front of the main building at 137 S. Wilson Street as specified in the Commercial Site Plan attached as Exhibit A, attached hereto and incorporated herein by reference for all purposes.

Except as otherwise specified above, all other conditions, regulations, procedures, and rules of Appendix B, Zoning, of the City of Burleson Code of Ordinances (2005), as amended, shall apply to the detached accessory structure at 137 S. Wilson Street.

**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 "A"

