

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, FOR VARIANCES OF CHAPTER 63, SIGN REGULATIONS, TO ALLOW FOR THE MODIFICATION OF AN EXISTING NON-CONFORMING POLE SIGN AT 319 NW RENFRO 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, 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 October 2, 2023, an application was submitted by Dianne Moriarty representing Global Signs, Inc. on behalf of Otto Arslanovski for sign variances to allow for the modification of an existing pole sign without bringing it into complete conformity, and

WHEREAS, on November 13, 2023, 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 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 grants a variance to Section 63-3(2) and (4) of Chapter 63, Sign Regulations, of the City of Burleson Code of Ordinances (2005) requiring that any structural change, alteration, modification, or change in the name, design, letters, message or other matter on the nonconforming sign, shall require the sign to be brought into conformity with the requirements of this chapter unless otherwise exempt by section, to allow for the modification of the existing sign cabinet without bringing the rest of the sign into conformity.

City Council hereby grants a variance to Section 63-56(a)(3) of Chapter 63, Sign Regulations, of the City of Burleson Code of Ordinances (2005) requiring pole signs maintain a 100-foot separation from an adjacent pole sign on each premises and minimum of 50 feet on adjacent premises on the same side of the street, to allow for the existing pole sign to maintain a 25 foot separation from another pole sign on the same side of the street.

City Council hereby grants a variance to Section 63-56(a)(4) of Chapter 63, Sign Regulations, of the City of Burleson Code of Ordinances (2005) requiring that pole signs shall only be allowed to locate on premises with frontage onto IH 35 and within the North Wilshire Sign Corridor, to allow for the existing pole sign to remain located outside of the permitted corridors at 319 NW Renfro Street.

Except as otherwise specified above, 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 sign at 319 NW Renfro 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