



**City Council
Regular Meeting**

August 12, 2025

Appeals Board Ordinance

Discuss and consider action: Ordinance No. 2025-35: D. Vaughn

AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING CITY OF BURNET CODE OF ORDINANCES, CHAPTER 50 (ENTITLED “FLOOD DAMAGE PREVENTION”) BY AMENDING SECTION 50-44 (ENTITLED “VARIANCE PROCEDURES”); PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE





Appeals Board Ordinance

- Flood Event:
 - July 5, 2025 flooding event
 - Presidential Disaster Declaration (FEMA DR-4789)
- FEMA Requirement:
 - Substantial Damage Estimations (SDEs) required for structures in SFHAs
 - Substantial Damage = Repairs \geq 50% of pre-damage market value
- Floodway Restrictions:
 - Stricter FEMA rules apply
 - No improvements allowed that increase flood levels





Appeals Board Ordinance

- Clarifies City Council's role as the Appeals Board
- Establishes procedures for appeals and variances
- Defines criteria for granting variances
- Outlines City Manager's administrative responsibilities
- Aligns local code with FEMA compliance requirements





Appeals Process

- Property owners may appeal a determination by the Floodplain Administrator
- Must be filed within 180 days of the SDE letter
- Appeals must allege a specific error in the floodplain determination
- Clear and obvious errors may be resolved administratively
- City Council will hear qualifying appeals/variances within 30 days





Questions?

Recommendation

- Staff recommends approval of Ordinance No. 2025-35 as presented.

