



NOTICE OF MEETING OF THE ZONING BOARD OF ADJUSTMENT THE CITY OF BURNET, TEXAS

This notice is posted pursuant to the Texas Local Government Code, Chapter §551 – Open Meetings.

Notice is hereby given that the **Public Hearing and Regular Meeting of the Zoning Board of Adjustment** of the City of Burnet, Texas will be held on Monday **July 20, 2020**, at **6:00 p.m.**, in the City Council Chambers, Burnet Municipal Airport, 2402 S. Water, Burnet, TX. In order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19), a Declaration of a Public Health Emergency was executed by Mayor Bromley on March 19, 2020. The Council Chambers will be closed to public attendance. A Zoom Webinar with toll free conference call capability has been established for access as follows:

Computer: Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84585274349?pwd=WnJJOEcxalExRGV1S3NBRRmN5a2RIUT09>

OR: Go to: www.zoom.us

Enter Webinar ID when prompted: **845 8527 4349 #**

Enter Password when prompted: **320042 #**

If you would like to address the Board with a Public Comment while logged-in online, please use the “raise your hand” feature.

By Telephone Call: 888-475-4499 or 877-853-5257 (Toll Free Numbers)

Enter Webinar ID when prompted: **845 8527 4349 #**

Enter Password when prompted: **320042 #**

If you would like to address the Board with a Public Comment while dialed in via telephone, please use the “raise your hand” feature, by pressing *9 while on the phone.

This notice is posted pursuant to the Texas Government Code, Chapter §551-Open Meetings.

The following subjects will be discussed, to-wit:

1. CALL TO ORDER:

2. ROLL CALL:

3. CONSENT AGENDA ITEMS: All of the following items on the Consent Agenda are considered to be self-explanatory by the Board and will be enacted with one motion. There will be no separate discussion of these items unless a Board member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Board when the Consent Agenda is opened for Board action.

- 3.1) Minutes of the regular meeting of the Board of Adjustment of the City of Burnet, Texas held on **May 5, 2020**.

4. **Application for Variance** for property located on the east side of Vanderveer St., approximately 100 feet north of the intersection of Vanderveer St. and E. Post Oak St. (Legal Description: Lot 3-A, Block 24, of the Peter Kerr Portion).

The Zoning Board of Adjustment shall consider and application for variance from Section 118-20 of the Zoning Ordinance to allow a variance from the R2-A zoning district front yard setback requirement. If authorized the variance would reduce the required 25 feet front yard setback to 15 feet to allow the construction of a single-family structure. The hearing on the matter shall be conducted as follows:

- 4.1) Public Hearing. The Zoning Board of Adjustment will conduct a hearing to receive testimony and comments from members of the public on the merits of the application for variance.
- 4.2) Consideration and Action. At the close of the public hearing the Zoning Board of Adjustment will consider and take action on the variance application.

5. STAFF REPORTS.

- 5.1) Addendum to the Board of Adjustment Agenda: Department and Committee Reports/Briefings: The Board of Adjustment may or may not receive a briefing dependent upon activity or change in status regarding the matter. The listing is provided to give notice to the public that a briefing to the Board on any or all subjects may occur.

6. REQUESTS FOR FUTURE AGENDA ITEMS

7. ADJOURN

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Zoning Board of Adjustment of the City of Burnet, is a true and correct copy of said notice and that I posted a true and correct copy of said notice on the bulletin board, in the City Hall of said City, Burnet, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted on July 17, 2020 at or before 5 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 17th day of July, 2020



Kelly Dix, City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The City Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the Development Services Department at (512) 715-3206, FAX (512) 756-8560 or e-mail at jlutz@cityofburnet.com for information or assistance.



Zoning Board of Adjustment

ITEM 4.1

Jason Lutz
Development Services
(512) 715-3215
jlutz@cityofburnet.com

Agenda Item Brief

Meeting Date: July 20, 2020

Agenda Item: The Zoning Board of Adjustment of the City of Burnet, Texas will hold a public hearing and consider an application for variance from Section 118-20 of the Zoning Ordinance to allow a variance from the R2-A zoning district front yard setback requirement for property located on the east side of Vanderveer St., approximately 100 feet north of the intersection of Vanderveer St. and E. Post Oak St. (Legal Description: Lot 3-A, Block 24, of the Peter Kerr Portion).

If authorized the variance would reduce the required 25 feet front yard setback to 15 feet to allow the construction of a single-family structure.

Background: The property is an undeveloped property consisting of two lots, which were recently replatted.

The property was re-zoned, from Single Family Residential – District (R-1) to Townhomes — District (R-2A).

Information: The applicant is proposing to construct a single-family home on lot 3-A and is seeking the reduction of the front yard setback from 25' to 15' in order to preserve large existing trees on the site.

Without the variance the applicant may move forward with the construction of a home and remove the existing trees in order to complete construction of the proposed residential unit.

The lot is approximately 68' wide by 146' ft deep. The proposed structure is 51' wide by 32' deep.

The property has multiple mature oak trees situated on the site. The applicant has designed a home that will fit within the trees (1,800 sq. ft.)

The applicant is limited in the width of the home due to setbacks and trees and is also limited in the depth of the home due to the other large oak tree. In order to protect the critical root zone of the existing trees the applicant is seeking to reduce the required front yard setback to 15'.

Staff Analysis: Staff has reviewed the request in regards to Variances and has provided the following findings.

- Literal enforcement of the ordinance would result in unnecessary hardship.

Failing to grant the variance will cause the applicant to remove existing trees. Due to the size of the trees, the City's code for mitigation may create an hardship in replanting trees, as the property may not hold the required number of new trees.

- The hardship is unique or specific to the property for which the variance is being requested.

The existing large mature oak trees and their arrangement on the property are unique to this specific lot in regards to their relationship/location to setbacks.

- The hardship is not merely financial.

The variance is not financial as the applicant could meet setback by clearcutting the property.

- The hardship is not self-imposed

The hardship is not self-imposed as the location of the trees are pre-existing.

- Granting the variance would not grant a special privilege.

This variance would not grant a special privilege as the existing home to the north is approximately 12' from the front property line. Additionally, all other structures in this block (both sides of street) are approximately 15' from the property line (see Exhibit A).

- Granting the variance would not be contrary to the best public interest.

A reduction of the front yard setback would not be contrary to the best public interest as all building & fire codes shall be met. The home design creates ample off-street parking, and the granting of the variance would preserve existing mature oak trees.

Recommendation: Staff recommends approval of the requested variance.

Exhibit "A"
Location/Setback Map



Exhibit "B"
Site Plan & Trees

Vandevveer House w/ 15ft Setback

Blue Outline- Foundation

Red Lines-15ft. PROPOSED FRONT SET BACK & 7.5 ft Side Setback

Green Circles- 14'9" circumference South Side Tree, 16' Circumference of East Side Rear Tree

Green Polygons- Tree Canopy Rear Tree requires two or three branches cut, side tree no cutting required.

Black Stripe- 23' of Parking from front of Garage, 33' from street.

Pink Line- Front Porch Entryway

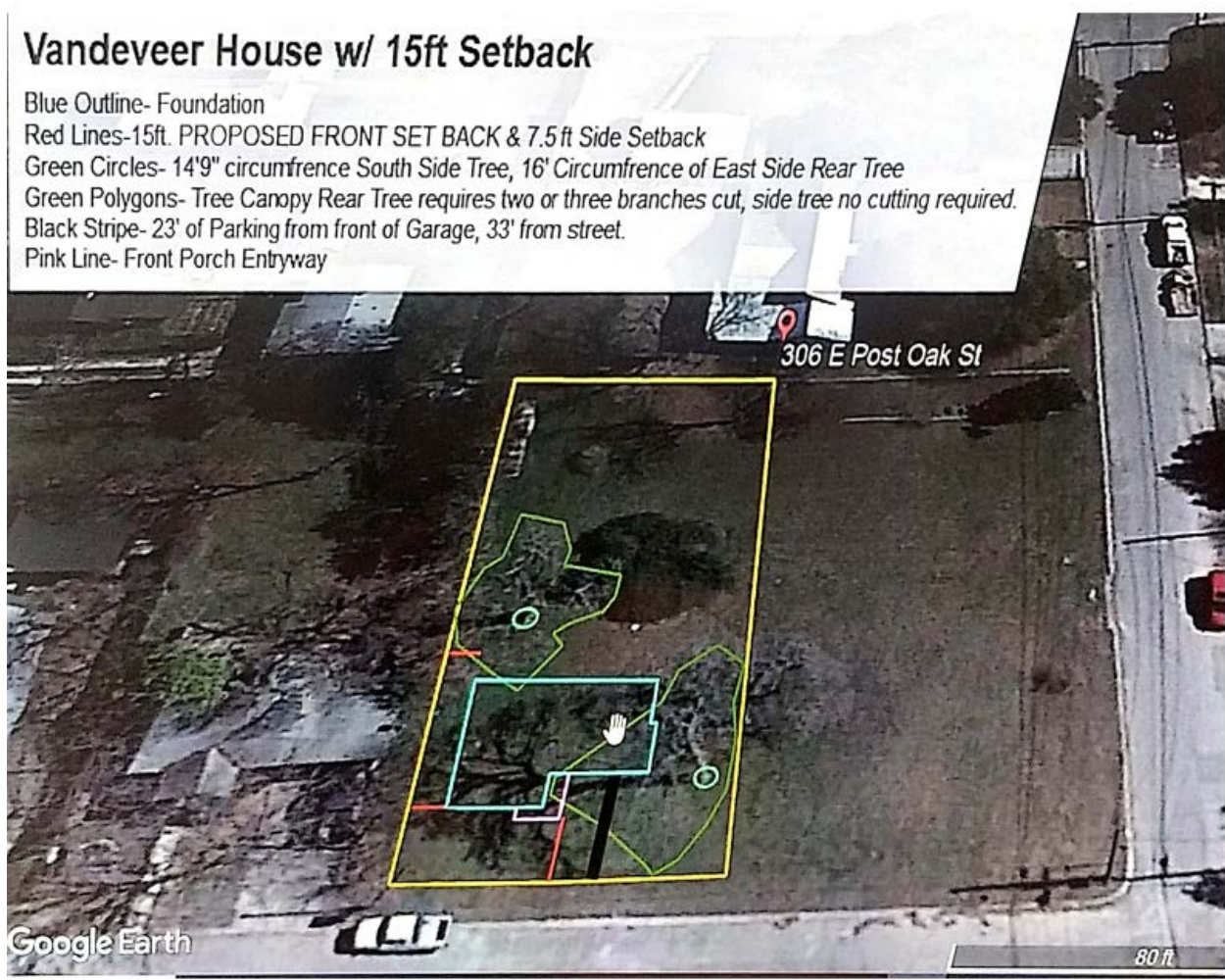


Exhibit "C"
Trees



Rendurings, Elevations, Floor Plans



CONTINUOUS FOOTING
#4 BARS CONTIN.

6x4 POST PROVIDE
1 SPOT FOOTING
(NON-BRG) OR
2" SPOT FOOTING
(BARS EA. WAY
BRG.)

