

## Zoning Code Administrative Interpretation Decision No. 2021-003

Issued: January 25, 2021

**Question.** What is the maximum number of units per acre allowed in R-1 Multi-family Residential Zoning Districts?.

**Code section(s):** Subsection 118-35(a) reads: *“Permitted uses. Attached single family structures with a minimum of 500 square feet of living area and permitted accessory structures generally known as apartments, with buildings not exceeding two stories, on a minimum lot size of **4,000 square feet per unit.**”\**

Subsection 118-35 (c)(1) reads: *“Maximum dwelling units per acre: **20 units.**”*

**Interpretation:** Subsection 118-35(a) applies to individual unit on separate lots. The minimum lot size for single unit lots is 4000 square feet. Subsection 118-35 (c)(1) applies to multiple units located on one lot; and in such cases the maximum unit count per acre is 20.

**Application.** This question was raised in conjunction with a predevelopment conference conducted on January 20, 2020 to discuss a proposed multi-family development at the corner of South Rhomberg and Willow Streets. At that meeting the maximum unit count for the project was discussed.

**Filing.** Pursuant to Section 118-73 of the Zoning Code, this decision shall be retained in the official records of the Director of Development Services until rescinded by action of City Council, amendment to Chapter 118 or reversed by action of the Zoning Board of Adjustment.

**Appeal.** Pursuant to Texas Local Government Code Section 211.01 this decision is appealable to the City of Burnet, Board of Adjustment. Notice of appeal must be filed in the office of the City Secretary **not later than 20 days** from the date this decision was issued. The notice must include a written narrative specifying the grounds for the appeal.

To be effective as of the date first stated above.

City of Burnet, Texas  
Zoning Administrator

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Jason Lutz  
Director of Development Services