



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 **Regular Meeting of the Zoning Board of Adjustments** of the City of Burnet, Texas will be held on **Wednesday, February 11, 2026**, at **2:00 p.m.** at the City of Burnet's Council Chambers located at 301 East Jackson Street, Burnet, Texas 78611 at which time 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 **November 14, 2025**.

4. ELECTION OF OFFICERS:

4.1) The Zoning Board of Adjustments of the City of Burnet will elect officers from among its members.

5. ACTION ITEMS:

5.1) The Board of Adjustment of the City of Burnet, Texas shall discuss and consider action regarding a request for variance to the Zoning Code's maximum height requirements as shown in City Code Chapter 118 – Chart One. The property subject to the variance request is located at: 310 East Third Street: L Kimbler

a) Staff presentation of the variance request

b) Applicant's presentation to the board

c) Allow members from the public to speak for or against the variance request

d) Board deliberations and action

6. STAFF REPORTS:

5.1) None

7. REQUESTS FOR FUTURE AGENDA ITEMS

8. 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 November 7, 2025 at or before 5 o'clock p.m. and remained posted continuously for at least three business days preceding the scheduled time of said meeting.

Dated this the 5th day of February 2026,

A handwritten signature in black ink, appearing to read "Leslie Kimbler", written in a cursive style.

Leslie Kimbler, Asst. City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

This meeting site is wheelchair accessible. For disability access special needs call Leslie Kimbler, Assistant City Secretary, at 512-715-3215 at least forty-eight [48] hours prior to the meeting.



Development Services

ITEM 4.1

Leslie Kimbler
Planning Manager
512-715-3215
lkimbler@cityofburnet.com

Agenda Item Brief

Meeting Date: February 11, 2026

Agenda Item: The Zoning Board of Adjustments of the City of Burnet will elect officers from among its members.

Background: The Zoning Board of Adjustments will choose two officers from among its members. The ZBA's current officers are:

Chair	Vacant
Vice-Chair	Calib Williams

Duties of the Commission officers are as follow:

- Chair:
 - Serve as the Zoning Board of Adjustments' presiding officer.
 - Conduct Zoning Board of Adjustments regular meetings.
 - Sign orders, minutes, and other official documents pertaining to actions of the Board.
- Vice-Chair:
 - Serve as presiding officer during the absence of the Chair.

Information: Candidates for officers are selected by the nomination and second of fellow Board members. All members are eligible to stand for any of the officer positions. Present officers are eligible for nomination and reelection to their present position, or any other of the Board's officer positions.

Recommendation: Nominate and elect a Zoning Board of Adjustments Chair and Vice-Chair.



Development Services

ITEM 5.1

Leslie Kimbler
Planning Manager
512-715-3215
lkimbler@cityofburnet.com

Agenda Item Brief

Meeting Date: February 11, 2026

Action Item: The Board of Adjustment of the City of Burnet, Texas shall discuss and consider action regarding a request for variance to the Zoning Code's maximum height requirements as shown in City Code Chapter 118 – Chart One. The property subject to the variance request is located at: 310 East Third Street: L Kimbler

Background: The subject property (Exhibit A), zoned Multi-Family Residential – District "R-3", is located adjacent to the Northgate Apartments, across from the new Student Activity Center, along East Third Street. The property is proposed for development as a multi-family residential project to be named Sunset Ridge Apartments. The proposed affordable housing development consists of a three-story building containing 36 apartment units.

Section 118-20, Chart One of the City of Burnet Code of Ordinances establishes a maximum building height of 35 feet for properties zoned Multi-Family Residential – District "R-3". The submitted site development plans indicate the proposed apartment building would have an approximate height of 47 feet, 9 inches (Exhibit B).

Information: The applicant is requesting a variance to Sect. 118-20 Chart One for the maximum height requirements (Exhibit C).

The Zoning Board of Adjustments may authorize in specific cases a variance from the terms of the zoning ordinance if the variance:

- a. Is not contrary to the public interest; and
- b. Is not contrary to the spirit of the zoning ordinance; and
- c. Is necessary for substantial justice to be done; and
- d. Is necessary due to special conditions, which causes a literal enforcement of the regulation to result in unnecessary hardship. To find unnecessary hardship exists, the board must affirmatively find:
 1. The hardship is in no way the result of the applicant's own actions; and
 2. Special conditions exist of restricted area, topography or physical features that are peculiar to the subject property

and are not applicable to other properties in the same zoning district; and

3. The application of the regulation to the subject property deprives the applicant of rights commonly enjoyed by other properties in the same zoning district that are in compliance with the same regulations.

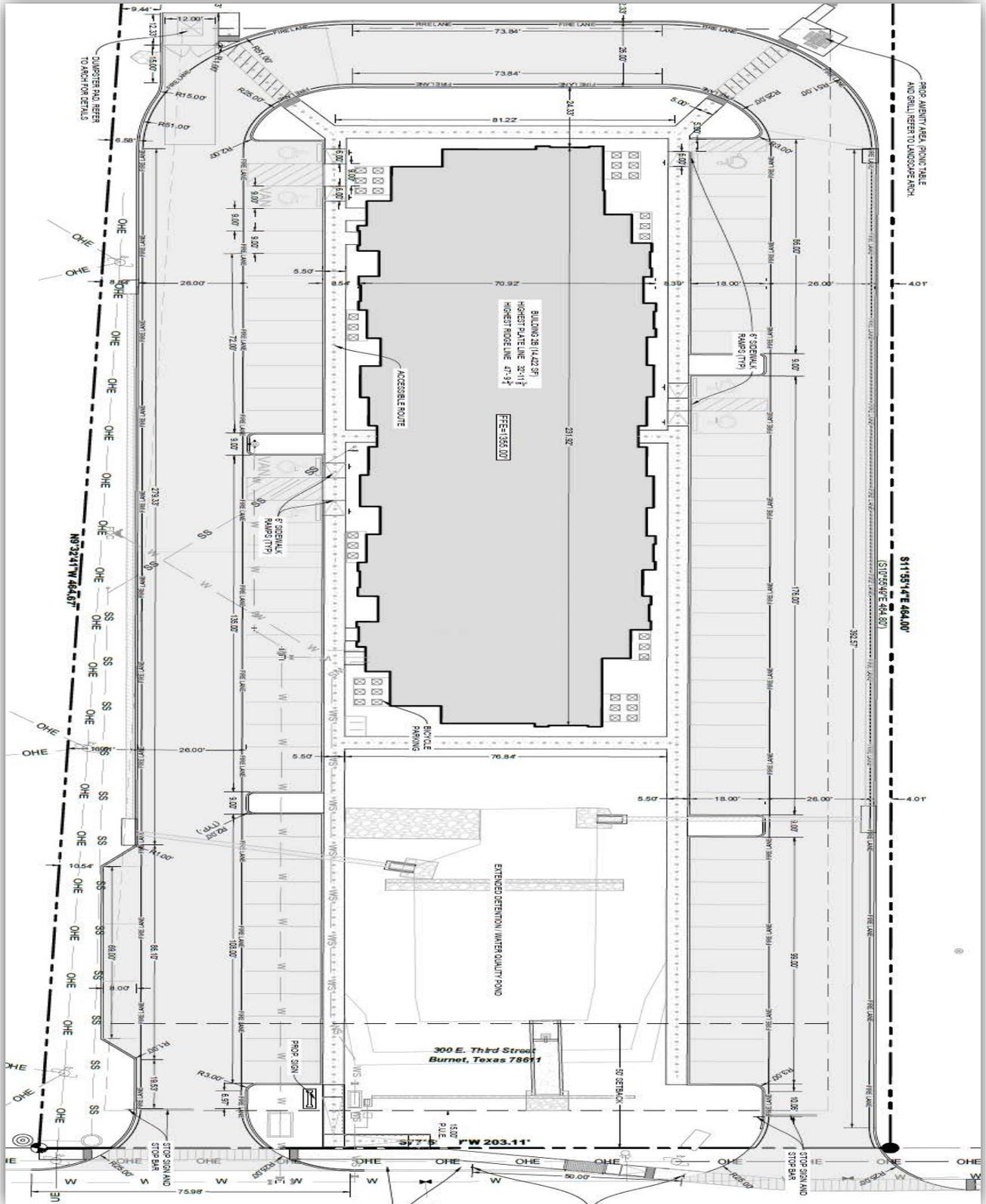
Section 211.009 of the Texas Local Government Code requires a concurrence 75 percent of the members (4 members) of the Zoning Board of Adjustment is required to authorize a variance from the terms of a zoning ordinance.

Staff Analysis: After a review of the applicant's submitted application, staff has no objections to the request for a variance to the Zoning Code's maximum height requirements as shown in City Code Chapter 118 – Chart One.

Exhibit "A"
Subject Property



Exhibit "B" Proposed Height



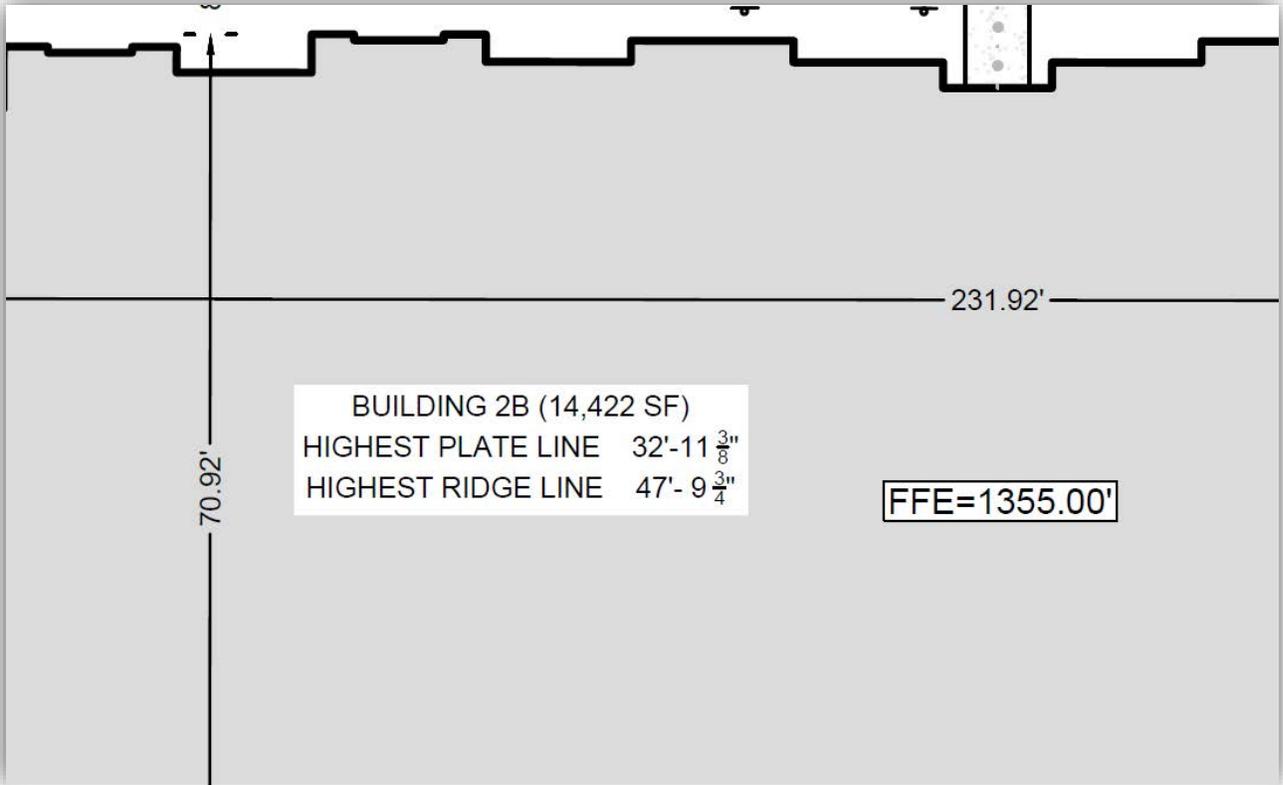
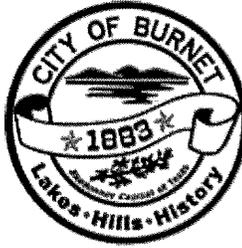


Exhibit "C"

Application



City of Burnet

ZONING BOARD OF ADJUSTMENT APPLICATION FOR VARIANCE

Attach additional pages as needed.

(Please type or Print)

Property Owner Information:

Name: HVM 2024 Burnet, LLC

Contact Person: Dennis Hoover

Address: P.O. Box 190 / 208 S West Street

City: Burnet State: Texas Zip: 78611

Telephone No: 512-756-6809 ext. 212

E-Mail: dennishoover@hamiltonvalley.com

Owner Signature: *Dennis Hoover* Date: 2/5/26

I am the owner of the herein described property and Benjamin Farmer is authorized to file this application on my behalf.

Applicant Information:

Name: HVM 2024 Burnet, LLC

Contact Person: Benjamin Farmer

Address: P.O. Box 1969 / 217 S West Street

City: Burnet State: Texas Zip: 78611

Telephone No: 512-756-4411

E-Mail: bfarmer@fhcci.com

Applicant Signature: *[Signature]* Date: 2-5-26

Existing Zoning: R-3 Multifamily Residential

Acreage: 2.06

Current Use of the Property: Vacant

1. Below state the specific relief you are requesting. This statement shall include citation to the specific section of the Zoning Ordinance (available at: https://library.municode.com/tx/burnet/codes/code_of_ordinances?nodeId=COOR_CH118ZO) from which the variance is requested and the extent of the variance request. This statement should be in the form of a recital of the variance order the applicant desires the board to authorize.

The applicant humbly requests a variance from the Maximum Building Height limitation of 35 feet for R-3 Multifamily Residential as stated in Section 118-20, Chart 1 to a maximum height of 50 feet.

The applicant has received an award of Housing Tax Credits from TDHCA which requires us to construct a minimum of 36 housing units, which is extremely difficult to do on 2.06 acres

The applicant has gone through a myriad of design considerations and site alterations to try and accommodate the minimum unit count without exceeding the building height requirements, but it is

just not feasible to achieve 36 units in anything less than a 3 story building with the small building site that we are left with once on site parking and storm retention are taken into consideration.

2. Below describe the purpose for the variance; include a description of the existing and/or proposed improvements for which the variance is necessary.

The original design of the project proposed for conveyance of storm water through the driveways and out into the city street, but at the behest of the city and in the interest of protecting the streets, the design .

was changed to route storm water run off through an off-site channel in an agreement with the adjoining landowner. Through many discussions and multiple design changes, it was ascertained that the storm

retention and water quality pond would have to be incorporated on to our small 2.06 acre site, which drastically impacted our available building site. This ultimately forced us to abandon a two - 2 story building

site design and go to a single - three story building to produce the number of units that we were mandated to provide, and although the code allows for 3 story building, the 35' building height

maximum is not achievable in today's building standards with 9' walls, 18" floor joists and a pitched roof.

3. In order to authorize a variance from the terms of the zoning ordinance, in a specific case, the ZBOA must make required findings. Below are the findings the ZBOA must make, and space for the applicant to provide evidence supporting the required finding.

- a) Granting the variance is not contrary to the public interest.

The applicant owns and manages the adjoining property which is also an apartment complex and the other adjoining lot is a large piece of vacant school property,

therein the applicant does not find anything that negatively affects either adjoining property or anything contrary to the public interest in the this particular variance request

- b) The Variance is not contrary to the spirit of the zoning ordinance.

If the spirit of the ordinance was to adhere to viable fire coverage for tall buildings, then as alluded to below, the fire departments ability to cover taller buildings has increased since the writing of the ordinance

with the incorporation of a ladder truck. Additionally, the applicant is designing the project to the latest NFPA design criteria, and has elected to provide fire sprinkler coverage in all units, breezeways

and attic spaces. At the request of the fire marshal and as an indication of the applicants good will, an additional fire hydrant will be added to the design of the project to provide ample

coverage for the building and surrounding areas even though the one hydrant as designed on site meets code.

- c) The Variance is necessary for substantial justice to be done.

The applicant has exhausted all other design criteria in trying to establish a viable project that meets all applicable building codes and yet still achieves the required amount of units (36)

on such a small acreage site with a detention pond and ample parking. The project is proposed for the greater good of the community, proposing to house lower wage earning families

such as teachers, fire fighters, police and first responders.

d) The Variance is necessary due to special conditions, which causes a literal enforcement of the regulation to result in unnecessary hardship.

Due to the requirement for the applicant to provide a minimum of 36 units and the late change in the site design from 2 - two story buildings into a single - three story building to allow enough space to incorporate the required detention pond and parking areas, as well as the 9' minimum ceiling heights in the units, the applicant cannot feasibly design a three story building with enough units to meet eligibility, achieve the minimum construction standards, and stay under the 35 foot maximum building height.

To find unnecessary hardship exist the board must affirmatively find:

(1) The hardship is in no way the result of the applicant's own actions.

Please see attached narrative

(2) Special conditions exist of restricted area, topography or physical features that are peculiar to the subject property and are not applicable to other properties in the same zoning district.

Please see attached narrative

(3) The application of the regulation to the subject property deprives the applicant of rights commonly enjoyed by other properties in the same zoning district that are in compliance with the same regulation.

Please see attached narrative

4. Please provide any additional information that would be helpful.

The applicant understands that the code was written at a time when fire service coverage for buildings in excess of 35 height was not easily achievable, but since that time the fire department now has full use of and is able to extend coverage for taller buildings with their new ladder truck. Additionally, at the recommendation of the Fire Marshall, the applicant is willing to add an additional fire hydrant within the property at our own cost that is not required by code (we already have one that meets code) but will aid in extending fire coverage to the building and surrounding areas. The applicant has also _____ been informed that Council recently increased the maximum building height on commercial to 55 feet, and intends to amend R3 Multifamily in the very near future to be the same.

The following items are to be submitted with the application:

- Application and Checklist filled out completely and signed by the owner of property.
- If the applicant is the designated agent, the application shall include a signature/written statement from the property owner authorizing the agent to file the application on his/her behalf.
- Metes and bounds description (survey or plat of the property that provides or contains the metes and bounds description and/or lot and block).
- Any other relevant information the applicant determines is necessary.
- Application fee of \$_____

I swear or affirm to the best of my knowledge and belief the above stated information is true and correct as of the _____ day of _____ 2026.

Applicant

City Office Use Only

Date Received: _____

Application Fee Due: _____

Application Fee Attached:

Yes:

No:

Application Administratively

Yes:

No: *

Complete: _____

*Explanation: _____

Narrative for Zoning Variance Request on 310 E. 3rd Street

In March of 2024, HVM 2024 Burnet, LLC made application to the Texas Department of Housing and Community Affairs to obtain Housing Tax Credits for the development of a 36-unit family apartment complex on 2.06 acres located at 310 East 3rd Street in Burnet.

At the time of application, the owner provided a pre-liminary site development plan which depicted two – 2 story buildings consisting of 18 units each on the long rectangular tract. It was the original intent of the applicant to convey storm water runoff through the driveways of the project and out and into 3rd Street as most developments do, but after much discussion with City Staff, it was determined that this was not the best course of action. The impending safety hazard created by and potential damage that additional storm water run-off would create on the heavily traveled 3rd Street was not in the best interest of the community. In good faith effort and not wanting to exacerbate any existing problems, the applicant completely altered their site development plan to discharge the runoff into an adjacent parcel of land with the intention of entering into a storm water runoff agreement with that property owner. The design was mutually beneficial for both parties as the adjacent landowner was enduring some significant storm water runoff problems of their own, and this new design would convey the water on our site as well as theirs into an existing downstream detention pond instead of out into 3rd street where it was currently accumulating and causing significant safety concerns and damage to the city street.

Even though this solution was a win-win scenario for all parties concerned, the applicant unfortunately could not procure the proposed drainage easement from the administration for the adjoining landowner, so the applicant was forced to go back and completely redesign the entire site and building configuration for a third time, which was very costly to the applicant. In this redesign we were forced to abandon the two – 2 story buildings and design a single – three story building to hold all 36 units in order to provide enough room on the small 2-acre site for 88 parking spots with a fire lane, and now a water treatment/detention pond that had to be squeezed in. It is of importance to point out that the applicant was prohibited from deviating from the number of committed units (36 units) after its application to TDHCA or the application would be subject to termination.

In February of 2022, the City Council adopted an ordinance (Ord #2022-07) to allow R-3 Multifamily Residential to construct up to three stories as well as increased site density

to 20 units per acre. What the council and ordinance did not take into consideration at the time was the existing building height maximum of 35 feet is not easily achievable when you incorporate modern building design considerations. The Texas Department of Housing and Community affairs requires 9 foot ceiling height in all of its units, and in a multi-story complex you inevitably have about 18 inches of floor truss and framing in between each floor, leading to an average top plate height on a three story building of at least 32 feet before any consideration is given for the actual roof system. This basically prohibits any development from constructing anything other than parapet walls and a flat roof system to stay under the 35' maximum, which is very costly to construct and maintain and does not conform to any of the adjoining residential or apartments design standards. In layman's terms, a flat roof on a residential application is very expensive to build and maintain, looks terrible and does not blend in with other apartments or houses around it.

The applicant feels that this restrictive portion of the ordinance creates undue hardship on the development in as much as the ordinance allows for three story construction with moderate density for R-3 Multifamily, but in application it is restricting what can be built feasibly and reasonably.

Recently staff and City Council saw fit to revise the commercial zoning maximum building height to 55 feet and have informed the applicant that it intends to make the same amendments in the very near future for R3 Multifamily.

In addition to the concerns about feasibility, the applicant understands that original concern was conveyed regarding buildings above 35 feet for fire coverage, but that the fire department now can cover much larger and taller buildings with the incorporation of its ladder truck to the fleet. Additionally, the applicant has agreed at the request of the Fire Marshall to add an additional fire hydrant on the property at its own cost out of abundance of caution for the project and surrounding areas. We are also stepping up fire sprinkler coverage within the buildings to include all units, breezeways, corridors, and attic spaces, going above NFPA minimum regs.

We greatly appreciate the BOA's consideration in this matter, and hope that everyone can agree that this portion of the ordinance restricting building height in excess of 35 feet creates an undue hardship on applicants wishing to build three stories to modern construction standards.

STATE OF TEXAS
COUNTY OF BURNET

KNOW ALL MEN BY THESE PRESENTS, that I, Dennis J. Hoover, authorized agent for J & V Hoover, LTD, owner of said 2.06 acre tract of land out of the John Hamilton Survey No. 1, Abstract No. 405, in the City of Burnet, Burnet County, Texas, further described in a General Warranty Deed recorded in Doc. No. 202301169 and further described in Vol. 323 Page 764 of the Official Public Records of Burnet County, Texas, do hereby dedicate the attached plat to be known as "A SHORT FORM PLAT OF SUNSET RIDGE APARTMENTS" as the official plat of the same and do hereby dedicate the easements to the use of the public forever.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF BURNET, TEXAS.

WITNESS MY HAND this 3rd day of JULY, 2025.

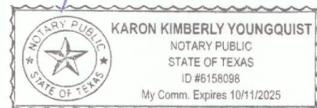
Dennis J. Hoover
Dennis J. Hoover
PO Box 190
Burnet, Texas 78611

STATE OF TEXAS
COUNTY OF BURNET

BEFORE ME, the undersigned authority, on this day personally appeared Dennis J. Hoover, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER my hand and seal of office this 3rd day of JULY, 2025.

Karon Kimberly Youngquist
Notary Public in and for the State of Texas



STATE OF TEXAS
COUNTY OF LAMPASAS

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, hereby certify, to the best of my knowledge and belief, that this plat is true and correct, that it was prepared from an actual survey of the property made under my supervision on the ground, and that all necessary monuments are correctly shown thereon in accordance with the Subdivision Regulations of the City of Burnet, Texas.

TO CERTIFY WHICH, WITNESS my hand and seal, this 9 day of May, 2025.

Paul W. Maples
Paul W. Maples, RPLS No. 5043

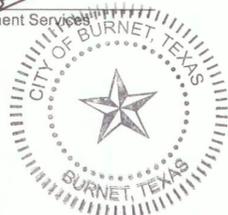


STATE OF TEXAS
COUNTY OF BURNET

The attached plat of "A SHORT FORM PLAT OF SUNSET RIDGE APARTMENTS" has been submitted and has been found to comply with the Subdivision Ordinances of the City of Burnet, Texas. I, the Director of Planning and Development for the City of Burnet, Texas, have approved this plat on the 24th day of July, 2025.

This short form plat shall be filed with the Burnet County Clerk's Office.

Dawn Hays
Director of Planning and Development Services
City of Burnet, Texas.



PERIMETER LEGAL DESCRIPTION

Being 2.06 acres of the John Hamilton Survey No. 1, Abst. No. 405 in Burnet County, Texas, and being part of a 10.00 acre tract of land described in a deed from Dennis Hoover to J&V Hoover, Ltd., dated February 6, 2023, recorded as Doc. No. 202301169 of the Official Public Records of Burnet County, Texas, and being part of a 5.00 acre tract of land described in Exhibit B in a deed from Clayton Duke, et al, to John Hoover, dated April 6, 1984, as recorded in Vol. 323, Page 764 of said official public records; said 2.06 acres being more particularly described as follows;

BEGINNING at a 1/2 inch iron pin found on the north line of Third Street for the southeast corner of said 5.00 acre tract and the southwest corner of a 57.00 acre tract of land described in a deed to Burnet Consolidated I.S.D., as recorded in Vol. 562, Page 107 of said official public records;

THENCE South 77° 59' 59" West, with the north line of said Third Street and the south line of said 5.00 acre tract, 203.11 feet to a 1/2 inch iron pin with cap marked "RPLS 4452" found for the southeast corner of a 3.60 acre tract of land described in a deed to HVM Burnet IV, Ltd., as recorded in Vol. 945, Page 806 of said official public records;

THENCE North 09° 32' 41" West, with the east line of said 3.60 acre tract, 464.67 feet to a 1/2 inch iron pin with cap marked "RPLS 4452" found for the northeast corner of said 3.60 acre tract, and being on the north line of said 5.00 acre tract and the south line of a 59.80 acre tract of land described in a deed to Burnet Consolidated Independent School District, as recorded in Vol. 1078, Page 980 of said official public records;

THENCE North 78° 04' 24" East, with the north line of said 5.00 acre tract, with the south line of said 59.80 acre tract, and along the general course of a fence, 183.84 feet to a 1/2 inch iron pin found at a fence corner for the northeast corner of said 5.00 acre tract and the northwest corner of said 57.00 acre tract;

THENCE South 11° 55' 14" East, with the east line of said 5.00 acre tract and the west line of said 57.00 acre tract, 464.00 feet to the PLACE OF BEGINNING, as surveyed on the ground on January 29, 2024, by MAPLES & ASSOCIATES, INC.

GENERAL PLAT NOTES:

1. Basis of Bearings: Texas State Plane Coordinate System NAD83 Texas Central Zone.
2. The subject tract is located within "Zone X". No portion of this property is encroached by a special flood hazard area inundated by the 100-year (1%) flood as identified by the U.S. Federal Emergency Management Agency Flood Insurance Rate Map, FEMA Firm No. 48053C0338G Effective Date: November 1, 2019 for Burnet County, Texas.
3. All property shown hereon is subject to the City of Burnet, Code of Ordinances, Chapter 98, Article VIII Non-Point Source Pollution as may be amended prior to commencing any development activities on the property, a permit will be required pursuant to Chapter 98, Article VIII.
4. Property is zoned Multi-family residential - District R-3.
5. This plat was prepared in conformance with the current City of Burnet Subdivision Regulations.
6. Property Address: 310 E. Third Street, Burnet, Texas 78611

LEGEND	
	1/2" Iron Pin Found with cap marked "RPLS 4452"
	1/2" Iron Pin Found
	Adjoining Property Lines
	Record Calls

Ronald H. Cravens
(20.00 acres)
Doc. No. 201603659

Burnet Consolidated Independent School District
(59.80 acres)
Vol. 1078 Page 980

N79°04'11"E 468.60'
N78°04'24"E 183.84'
15' PUE & BSL

J&V Hoover, LTD
(remainder of 10.00 acres)
Doc. No. 202301169
Vol. 323 Page 764

1
2.06 Acres

15' PUE & BSL
S11°55'14"E 464.00'
(S10°58'49"E 464.80')

Burnet Consolidated I.S.D.
(57,000 acres)
Vol. 562 Page 107

HVM BURNET IV, LTD
(3.60 acres)
Vol. 945 Page 806

15' PUE & BSL
N9°32'41"W 464.67'

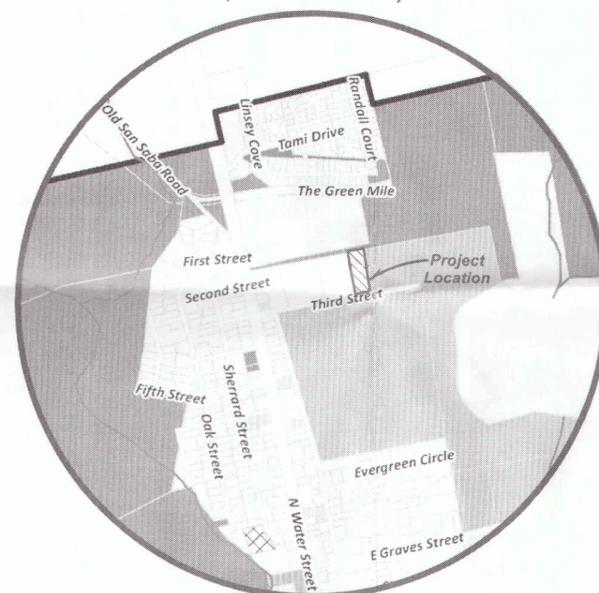
15' PUE
S77°59'59"W 203.11'

City of Burnet
(1.749 acres)
Vol. 187 Page 103

Third Street (50' ROW)

Burnet Independent School District
(55,279 acres)
Vol. 177 Page 543

LOCATION MAP (NOT TO SCALE)



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 202507288

PLAT Fee: \$89.00
07/24/2025 02:34 PM

Vicinta Stafford

Vicinta Stafford, County Clerk
Burnet County, Texas

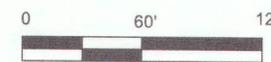
**A SHORT FORM PLAT OF
SUNSET RIDGE APARTMENTS**

BEING A PLAT OF 2.06 ACRES OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABSTRACT 405, BURNET COUNTY, TEXAS.

Surveyor:
Maples & Associates
420 S. Liveoak, Ste 200
P.O. Box 893
Lampasas, Texas 76550
Firm No. 10097700

Tel (512) 556-2078
Fax (512) 556-0500
Job No. 240830-240117
Plat Date: 5/9/2025

PAGE 1 OF 1



Issued By:

BURNET CENTRAL APPRAISAL DIST
223 S PIERCE
P O BOX 908
BURNET, TX 78611

Property Information

Property ID: 51915 Geo ID: B0405-0000-23103-004
Legal Acres: 2.0900
Legal Desc: ABS A0405 JOHN HAMILTON, TRACT 3 & PT OF 2.2,09 ACRES
Situs: 300 THIRD ST BURNET, TX 78611
DBA:
Exemptions:

Owner ID: 258384 100.00%
HVM 2024 BURNET LLC
PO BOX 190
BURNET, TX 78611

For Entities

Value Information

BURNET COUNTY	Improvement HS:	0
BURNET ISD	Improvement NHS:	0
CITY OF BURNET	Land HS:	0
CO SPECIAL, ROAD & BRIDGE	Land NHS:	97,812
WATER CONSERV DIST OF CENTRA	Productivity Market:	0
	Productivity Use:	0
	Assessed Value	97,812

Current/Delinquent Taxes

This is to certify that, after a careful check of the tax records of this office, the following delinquent taxes, penalties, interest and any known costs and expenses as provided by Tax Code §33.48, are due on the described property for the following taxing unit(s):

Year	Entity	Taxable	Tax Due	Disc./P&I	Attorney Fee	Total Due
Totals:			0.00	0.00	0.00	0.00

Outstanding Litigation Fees

Fee Date	Fee Description	Amount Due
07/23/2025	TAX CERTIFICATE	10.00
	Total Fees Due:	10.00

Effective Date: 07/23/2025

Total Due if paid by: 07/31/2025

10.00

Tax Certificate Issued for:	Taxes Paid in 2024
CITY OF BURNET	599.68
BURNET COUNTY	302.34
CO SPECIAL, ROAD & BRIDGE	44.02
BURNET ISD	852.82
WATER CONSERV DIST OF CENTR	5.38

If applicable, the above-described property has/is receiving special appraisal based on its use, and additional rollback taxes may become due based on the provisions of the special appraisal (Comptroller Rule 9.3040) or property omitted from the appraisal roll as described under Tax Code Section 25.21 is not included in this certificate [Tax Code Section 31.08(b)].

Pursuant to Tax Code Section 31.08, if a person transfers property accompanied by a tax certificate that erroneously indicates that no delinquent taxes, penalties or interest are due a taxing unit on the property or that fails to include property because of its omission from an appraisal roll, the unit's tax lien on the property is extinguished and the purchaser of the property is absolved of liability to the unit for delinquent taxes, penalties or interest on the property or for taxes based on omitted property. The person who was liable for the tax for the year the tax was imposed or the property was omitted remains personally liable for the tax and for any penalties or interest.

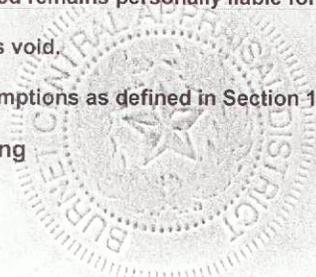
A tax certificate issued through fraud or collusion is void.

This certificate does not clear abuse of granted exemptions as defined in Section 11.43 Paragraph(1) of the Texas Property Tax Code.

May Be Subject to Court Costs if Suit is Pending

Date of Issue: 07/23/2025
Requested By: ATTORNEYS ABSTRACT
Fee Amount: 10.00
Reference #: 01-24-15483

Signature of Authorized Officer of Collecting Office



IN RE: 310 East Third Street,
Burnet, Texas

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CITY OF BURNET
COUNTY OF BURNET
STATE OF TEXAS

ZONING BOARD OF ADJUSTMENT

ORDER

On February 11, 2026, the Zoning Board of Adjustment of the City of Burnet, Texas acting pursuant to authority vested therein by Section 118-74 of the City’s Code of Ordinances and Chapter 211 Subchapter A of the Texas Local Government Code, held a public hearing with respect to an application for variance from certain requirements of the City of Burnet Zoning Code codified as Chapter 118 of the City’s Code of Ordinance.

A quorum of the Board of Adjustment was present at the public hearing and received testimony and evidence from the applicant and city staff on behalf of the City. At the conclusion of the public hearing the Zoning Board of Adjustment deliberated and made its determination on the merits of the application. By this Order the Zoning Board of Adjustment makes findings of facts and conclusions of law as follows:

FINDINGS OF FACTS

- (a) The subject property is located at 310 East Third Street, Burnet, Texas.
- (b) The applicant is seeking a building permit for the structure located on the subject property to be developed as a multi-family residential project.
- (c) The subject property is classified as Multi-Family Residential – District “R-3”.

- (d) Section 118-20, Chart One, of the City’s Code of Ordinances, provides the maximum height regulations to be 35 feet.
- (e) The applicant seeks a variance to the 118-20 Chart One to allow the structure to be built to a height of 47-feet and 9-inches.

CONCLUSION OF LAW

- (a) Authorizing the variance (is) (is not) contrary to the public interest; and,
- (b) Authorizing the variance (is) (is not) contrary to the spirit of the zoning ordinance; and
- (c) Authorizing the variance (is) (is not) necessary for substantial justice to be done; and
- (d) Authorizing the variance (is) (is not) necessary due to special conditions, which causes a literal enforcement of the regulation to result in unnecessary hardship. To find unnecessary hardship exists the board must affirmatively find:
 - (1) The hardship (is) (is not) in no way the result of the applicant's own actions; and
 - (2) Special conditions (do) (do not) exist of restricted area, topography or physical features that are peculiar to the subject property and are not applicable to other properties in the same zoning district; and
 - (3) The application of the regulation to the subject property (does) (does not) deprive the applicant of rights commonly enjoyed by other properties in the same zoning district that are in compliance with the same regulations.

Section 211.009 of the Texas Local Government Code requires a concurrence 75 percent of the members of the Zoning Board of Adjustment is required to authorize a variance from the terms of a zoning ordinance. As to this application the vote to authorize the requested variance to 118-20 Chart One of the City Code of Ordinances allowing the applicant to build a structure to 47-feet and 9-inches:

Board Member	In favor	Opposed
Calib Williams		
Kim Winkler		

Crista Bromley		
Derek Fortin		
Mary Jane Shanes		

As 75 percent, or more, of the members of the Zoning Board of Adjustment are in favor of authorizing the variance from the terms of the zoning ordinance specified in the application, it is hereby **Ordered** the variance **is authorized** and the applicant may utilize a gravel driveway; and the conclusion of law stating that the variance **meets the requirements** of Section 118-74(e)(iii) are adopted and made part of this Order of the Board of Adjustment.

As less than 75 percent, of the members of the Zoning Board of Adjustment are in favor of authorizing from the terms of the zoning ordinance specified in the application, it is hereby **Ordered** the variance **is not authorized** and the conclusion of law stating that the variance **does not meets the requirements** of Section 118-74(e)(iii) are adopted and made part of this Order of the Board of Adjustment.

SIGNED AND ORDERED on this the 11th day of February 2026.

CHAIRPERSON

ATTEST:

ZBA Secretary