

ORDINANCE NO. 2021-27

AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY LEGALLY DESCRIBED AS: VANDERVEER/ALEXANDER, ALL OF LOTS 1 & 2, AND PORTION OF LOTS 3 & 4, BLK 17, 1.48 ACRES WITH TOWNHOMES – DISTRICT “R-2A” ZONING CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council, by the passage and approval of Ordinance No. 2021-001, affixed the zoning classifications for each and every property located within the city in accordance with the Official Zoning Map as approved with said ordinance; and

WHEREAS, the purpose of this Ordinance is to amend the Official Zoning Map by amending the zoning classification of the Real Property (“Property”) described herein; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on the matter, deliberated the merits of the proposed amendment of zoning classification and has made a report and recommendation to City Council; and

WHEREAS, in passing and approving this ordinance it is legislatively found the Planning and Zoning Commission and City Council complied with all notice, hearing and meetings requirements set forth in Texas Local Government Chapter 211; Texas Government Code Chapter 551, as amended by the Governor’s Executive Pandemic Orders; the City Charter; and Chapter 118, of the Code of Ordinances; and

WHEREAS, it is further legislatively found that this proposed zoning reclassification of property does not require an amendment to the Future Land Use Plan; and

WHEREAS, City Council, after considering the testimony and comments of the public, reports and recommendations of City Staff and the Planning and Zoning Commission, and the deliberation of its members, by passage and approval of this Ordinance hereby determines the action taken herein is meritorious and beneficial to the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section one. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted and made a part hereof for all purposes as findings of fact.

Section two. Property. The Property that is the subject to this Zoning District Reclassification is legally described as: Vanderveer/Alexander, all of Lots 1 & 2, and portion

of Lots 3 & 4, Blk 17, 1.48 acres as shown on **Exhibit "A"** hereto. Portions of the Property are shown on the Federal Emergency Management Agency's Effective Flood Insurance Rate Map to be located within the 100 year regulatory floodplain and the regulatory floodway (cumulatively the 100 year regulatory floodplain and the regulatory floodway shall be referred to as the "flood hazard area").

Section three. Conditions of Reclassification. Prior to any land disturbance, construction, or development activity of any kind, on that portion of the Property within the flood hazard area, an application for a floodplain development permit shall be submitted and approved in accordance with City Code Chapter 50 (entitled "Flood Damage Prevention"). No building permit, subdivision application or other permit required for the development of those portions of the Property within the flood hazard area shall be issued until the requirements of Chapter 50 are met and an application for a floodplain development permit is approved. The Property shall not be sold, leased or otherwise conveyed without disclosure of these conditions of reclassification.

Section four. Zoning District Reclassification. Subject to the conditions stated in section three above, Townhomes – District "R-2A" Zoning District Classification is hereby assigned to the Property described in section two.

Section five. Zoning Map Revision. The City Secretary is hereby authorized and directed to revise the Official Zoning Map to reflect the change in Zoning District Classification approved by this Ordinance.

Section six. Repealer. Other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent of such conflict.

Section seven. Severability. This Ordinance is not severable.

Section eight. Effective Date. This ordinance is effective upon final passage and approval.

PASSED on First Reading the 10th day of August 2021.

PASSED AND APPROVED on this the 24th day of August 2021.

CITY OF BURNET, TEXAS

Crista Goble Bromley
Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix
Kelly Dix, City Secretary

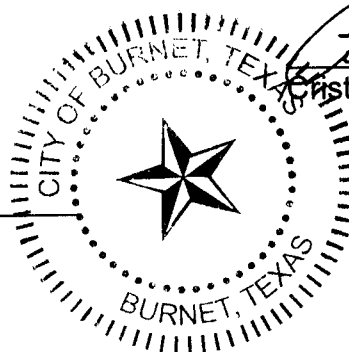


Exhibit A – Location Map

