

ORDINANCE NO. 2023-41

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING PROPERTY KNOWN AS 507 E JACKSON & 310 S SILVER ST (LEGALLY DESCRIBED AS: BEING LOTS ONE, TWO, THREE AND FOUR, BLK SIX, PETER KERR DONATION PORTION) FROM ITS PRESENT DESIGNATION OF LIGHT INDUSTRIAL – DISTRICT “I-1” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – DISTRICT “NC”; PROPERTY LEGALLY DESCRIBED AS: EAST PART OF LOTS 1 & 2 (0.67 ACRE), BLOCK 15, VANDEVEER/ALEXANDER ADDITION FROM ITS PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – DISTRICT “NC”; PROPERTY KNOWN AS 404 E MARBLE ST (LEGALLY DESCRIBED AS: BEING A PORTION OF LOTS TWO AND THREE, BLK 15, VANDEVEER ADDITION), FROM ITS PRESENT DESIGNATION OF MEDIUM COMMERCIAL – DISTRICT “C-2” TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – DISTRICT “NC”; PROPERTY KNOWN AS 801 E PECAN STREET (LEGALLY DESCRIBED AS: LOT 4, BLK 4, JOHNSON ADDITION) FROM ITS PRESENT DESIGNATION OF LIGHT INDUSTRIAL – DISTRICT “I-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL - DISTRICT “R-1”; AND PROPERTY KNOWN AS 607 S RHOMBERG STREET (LEGALLY DESCRIBED AS: S8450 VANDEVEER/ALEXANDER LOT PT OF 3, BLK 44) FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” 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, the City Charter; and Chapter 118, of the Code of Ordinances; and

WHEREAS, it is further legislatively found that the required amendment to the Future Land Use Plan was, prior to this action, passed and approved by ordinance of this Council; 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 property known as: 507 E JACKSON & 310 S SILVER ST (LEGALLY DESCRIBED AS: BEING LOTS ONE, TWO, THREE AND FOUR, BLK SIX, PETER KERR DONATION PORTION) as shown on **Exhibit "A"** hereto.

Section three. Zoning District Reclassification. NEIGHBORHOOD COMMERCIAL – DISTRICT "NC" Zoning District Classification is hereby assigned to the Property described in section two.

Section four. Property. The Property that is the subject to this Zoning District Reclassification is legally described as: EAST PART OF LOTS 1 & 2 (0.67 ACRE), BLOCK 15, VANDEVEER/ALEXANDER ADDITION as shown on **Exhibit "B"** hereto.

Section five. Zoning District Reclassification. NEIGHBORHOOD COMMERCIAL – DISTRICT "NC" Zoning District Classification is hereby assigned to the Property described in section six.

Section six. Property. The Property that is the subject to this Zoning District Reclassification is property know as: 404 E MARBLE ST(LEGALLY DESCRIBED AS: BEING A PORTION OF LOTS TWO AND THREE, BLK 15, VANDEVEER ADDITION)as shown on **Exhibit "C"** hereto.

Section seven. Zoning District Reclassification. NEIGHBORHOOD COMMERCIAL – DISTRICT "NC" Zoning District Classification is hereby assigned to the Property described in section eight.

Section eight. Property. The Property that is the subject to this Zoning District Reclassification is property known as: 801 E PECAN STREET (LEGALLY DESCRIBED AS: LOT 4, BLK 4, JOHNSON ADDITION) as shown on **Exhibit "D"** hereto.

Section nine. Zoning District Reclassification. SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” Zoning District Classification is hereby assigned to the Property described in section ten.

Section ten. Property. The Property that is the subject to this Zoning District Reclassification is property known as: 607 S RHOMBERG STREET (LEGALLY DESCRIBED AS: S8450 VANDEVEER/ALEXANDER LOT PT OF 3, BLK 44) as shown on **Exhibit “E”** hereto.

Section eleven. Zoning District Reclassification. SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” Zoning District Classification is hereby assigned to the Property described in section twelve.

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

Section fourteen. Severability. This Ordinance is severable as provided in City Code Section 1-7 as same may be amended, recodified or otherwise revised.

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

PASSED on First Reading the 12th day of September 2023

PASSED AND APPROVED on this the 26^h day of September 2023.

CITY OF BURNET, TEXAS



Gary Wideman, Mayor

ATTEST:



Kelly Dix, City Secretary



Exhibit "A"

507 E JACKSON & 310 S SILVER ST (LEGALLY DESCRIBED AS: BEING LOTS ONE, TWO, THREE AND FOUR, BLK SIX, PETER KERR DONATION PORTION)



Exhibit "B"
EAST PART OF LOTS 1 & 2 (0.67 ACRE), BLOCK 15, VANDEVEER/ALEXANDER
ADDITION



Exhibit "C"
PROPERTY KNOWN AS 404 E MARBLE ST (LEGALLY DESCRIBED AS: BEING A
PORTION OF LOTS TWO AND THREE, BLK 15, VANDEVEER ADDITION)



Exhibit "D"
801 E PECAN STREET (LEGALLY DESCRIBED AS: LOT 4, BLK 4, JOHNSON
ADDITION)



607 S RHOMBERG STREET (LEGALLY DESCRIBED AS: S8450 VANDEVEER/ALEXANDER
LOT PT OF 3, BLK 44)

Exhibit "E"

