

ORDINANCE NO. 2014-03

AN ORDINANCE AMENDING THE ZONING CLASSIFICATIONS OF CERTAIN PROPERTIES LOCATED IN THE CITY OF BURNET; AMENDING THE ZONING MAP; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Texas Local Government Code Section 211.02 authorizes the City of Burnet, as a home-rule municipality, to adopt, repeal or amend zoning district boundaries; and

WHEREAS, Texas Local Government Code Section 211.004 provides that zoning regulations and district boundaries must be adopted in accordance with a Comprehensive Plan and promote public health, safety and general welfare; and

WHEREAS, two public hearings were held to discuss the rezoning of certain tracts of real property; with the first public hearing being conducted by the Planning & Zoning Commission on January 6, 2014, in the City of Burnet Council Chambers; and, the second public hearing being conducted by City Council on January 28, 2014, in the City of Burnet Council Chambers; each being conducted for the purpose of providing all interested persons the opportunity to be heard concerning the proposed rezoning of the below described properties ; and

WHEREAS, written notice was sent to each owner of real property, as indicated on the approved tax roll of the City of Burnet, within 200 feet of each of the properties proposed to be rezoned, with said notice provided more than ten (10) days prior to the initial public hearing of of the Planning and Zoning Commission as cited above; and

WHEREAS, the City Council has determined and found that the proposed rezoning application is accordance with the recommendations of the Comprehensive Plan and would promote public health, safety and general welfare.

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Amendment of Zoning Ordinance. Ordinance No. 2012-06, as amended, of the City of Burnet Zoning Ordinance (The "Zoning Ordinance" or "Code"), is hereby modified and amended as set forth in this ordinance.

Section 3. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 302 South Boundary Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the

current zoning district "C-1" Light Commercial to the zoning district "G" Government. The Property is accordingly zoned "G" Government.

Section 4. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 300 East League Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "C-1" Light Commercial to the zoning district "G" Government. The Property is accordingly zoned "G" Government.

Section 5. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 105 Pierce Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "C-1" Light Commercial to the zoning district "G" Government. The Property is accordingly zoned "G" Government.

Section 6. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 400 East Jackson Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "G" Government. The Property is accordingly zoned "G" Government.

Section 7. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 405 East League Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "G" Government. The Property is accordingly zoned "G" Government.

Section 8. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 105 West Jackson Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

Section 9. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 107 East Jackson Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

Section 10. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 115 East Jackson Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

Section 11. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 307 South Main Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

Section 12. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 308 South Main Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

Section 13. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 215 South Pierce Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

Section 14. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 208 East Jackson, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

Section 15. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 203 East Washington Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

Section 16. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 210 South Boundary Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

Section 17. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 100 East Washington Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "C-1" Light Commercial to the zoning district "G" Government. The Property is accordingly zoned "G" Government.

Section 18. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 303 East Jackson Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current

zoning district "C-1" Light Commercial to the zoning district "G" Government. The Property is accordingly zoned "G" Government.

Section 19. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 304 South Boundary, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "C-1" Light Commercial to the zoning district "G" Government. The Property is accordingly zoned "G" Government.

Section 20. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 508 East Jackson Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "G" Government. The Property is accordingly zoned "G" Government.

Section 21. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 220 South Pierce Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "G" Government. The Property is accordingly zoned "G" Government.

Section 22. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 408 East League Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "G" Government. The Property is accordingly zoned "G" Government.

Section 23. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 133 East Jackson Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "G" Government. The Property is accordingly zoned "G" Government.

Section 24. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 223 South Pierce Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "G" Government. The Property is accordingly zoned "G" Government.

Section 25. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property 105 South Boundary Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "C-3" Heavy Commercial. The Property is accordingly zoned "C-3" Heavy Commercial.

Section 26. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 101 East Jackson, Burnet, Burnet County, Texas,

as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "MX" Commercial Mixed Use Overlay. The Property is accordingly zoned "MX" Commercial Mixed Use Overlay.

Section 27. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 123 East Jackson, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "MX" Commercial Mixed Use Overlay. The Property is accordingly zoned "MX" Commercial Mixed Use Overlay.

Section 28. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 111 East Jackson, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "MX" Commercial Mixed Use Overlay. The Property is accordingly zoned "MX" Commercial Mixed Use Overlay.

Section 29. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 127 East Jackson, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "MX" Commercial Mixed Use Overlay. The Property is accordingly zoned "MX" Commercial Mixed Use Overlay.

Section 30. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 229 South Pierce, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "MX" Commercial Mixed Use Overlay. The Property is accordingly zoned "MX" Commercial Mixed Use Overlay.

Section 31. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 117 East Jackson, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "MX" Commercial Mixed Use Overlay. The Property is accordingly zoned "MX" Commercial Mixed Use Overlay.

Section 32. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 236 South Main Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "C-1" Light Commercial to the zoning district "MX" Commercial Mixed Use Overlay. The Property is accordingly zoned "MX" Commercial Mixed Use Overlay.

Section 33. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 226 South Main Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "C-1" Light Commercial to the zoning district "MX" Commercial Mixed Use Overlay. The Property is accordingly zoned "MX" Commercial Mixed Use Overlay.

Section 34. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 208 South Main Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "C-1" Light Commercial to the zoning district "MX" Commercial Mixed Use Overlay. The Property is accordingly zoned "MX" Commercial Mixed Use Overlay.

Section 35. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 109 West Jackson Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residence to the zoning district "C-1" Light Commercial, with Conditional Use Permit for the sale of beer and wine. The Property is accordingly zoned "MX" Commercial Mixed Use Overlay.

Section 36. Rezoned Property. The Zoning Ordinance is hereby amended changing the zoning district for the property at 5402 South US Hwy 281, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "A" Agricultural to the zoning district "C-3" Heavy Commercial

Section 37. Zoning Map Amended. For the previously described property, the Zoning Maps of the City of Burnet shall be amended to indicate the new zoning districts as reflected in this Ordinance.

Section 38. Repealer. That if other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

Section 39. Severability. That if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

Section 40. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act, Chapt. 551, Loc. Gov't. Code.

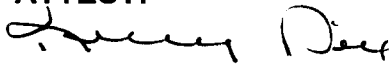
PASSED AND APPROVED on First Reading this 28th day of January, 2014.

FINALLY PASSED AND APPROVED on this 11th day of February, 2014.

CITY OF BURNET, TEXAS


Gary Wideman, Mayor

ATTEST:



Kelly Dix, City Secretary

