

**ORDINANCE NO. 2014-09**

**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 April 7, 2014, in the City of Burnet Council Chambers; and, the second public hearing being conducted by City Council on April 22, 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 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 607 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current

zoning district "R-1" Single Family Residential to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 4. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at 1103 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 5. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at 3000 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 6. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at 3214 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 7. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at 2802 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 8. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at 503 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential 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 903 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential 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 306 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential 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 3800 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential 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 1107 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential 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 1311 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential 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 Property ID# 54952, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential 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 Property ID# 54953, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential 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 400 Block Hwy 281 South, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential 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 Property ID# 47421, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "R-1" Single Family Residential to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 18. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at 5409 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current

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

**Section 19. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at 5388 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "A" Agriculture to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 20. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at 5402 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "A" Agriculture to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 21. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at 5304 South Water Street, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "A" Agriculture to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 22. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at Property ID# 69454, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "A" Agriculture to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 23. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at Property ID# 69432, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "A" Agriculture to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 24. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at Property ID# 69457, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "A" Agriculture to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 25. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at Property ID# 69458, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "A" Agriculture to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 26. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at Property ID# 69456, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "A" Agriculture to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 27. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at Property ID# 69435, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "A" Agriculture to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 28. Rezoned Property.** The Zoning Ordinance is hereby amended changing the zoning district for the property at Property ID# 54813, Burnet, Burnet County, Texas, as more particularly described in Exhibit "A" (the "Property"), from the current zoning district "A" Agriculture to the zoning district "C-1" Light Commercial. The Property is accordingly zoned "C-1" Light Commercial.

**Section 36. 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 37. Repealer.** That if other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

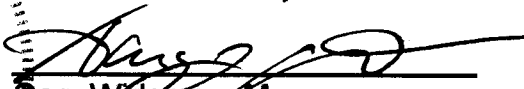
**Section 38. Severability.** That if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

**Section 39. 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.

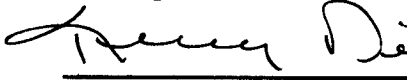
**PASSED AND APPROVED** on First Reading this 22<sup>nd</sup> day of April, 2014.

**FINALLY PASSED AND APPROVED** on this 13<sup>th</sup> day of May, 2014.

**CITY OF BURNET, TEXAS**

  
Gary Wideman, Mayor

**ATTEST:**

  
Kelly Dix, City Secretary

