

ORDINANCE NO. 2015-15

AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY REZONING 14.87-ACRES OUT OF PART OF TRACT 6 (INSIDE CITY) OF THE SUSANO HERNANDEZ ABSTRACT, A0398 FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL—DISTRICT C-1, TO A DESIGNATION OF MEDIUM COMMERCIAL—DISTRICT C-2; ASSIGNING ORIGINAL MEDIUM COMMERCIAL—C-2 ZONING TO 11.93 ACRES OUT OF TRACT 3A OF THE FRANCISCO YBARBO ABSTRACT, A1018; ASSIGNING ORIGINAL MULTI-FAMILY RESIDENTIAL—DISTRICT R-3 ZONING TO 23.40-ACRES OUT OF TRACT 3A OF THE FRANCISCO YBARBO ABSTRACT, A1018; ASSIGNING ORIGINAL SINGLE-FAMILY RESIDENTIAL 1—DISTRICT R-3 ZONING TO 43.14-ACRES OUT OF TRACT 6 OF THE SUSANO HERNANDEZ ABSTRACT, A0398; ASSIGNING ORIGINAL SINGLE-FAMILY RESIDENTIAL 1—DISTRICT R-1 ZONING TO 115.05-ACRES OUT OF TRACT 3A OF THE FRANCISCO YBARBO ABSTRACT, A1018; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING A DECEMBER 31, 2015 EFFECTIVE DATE

WHEREAS, The Planning and Zoning Commission of the City of Burnet, on July 6, 2015, did conduct a public hearing for the purpose of taking public comment and making recommendation regarding the proposal to rezone 14.87 acres, more or less of the approximately 208.39-acres of property owned by Honey Rock, LTD, and more particularly described herein; and

WHEREAS, The Planning and Zoning Commission did also conduct a public hearing and make recommendation regarding original zoning assignments to the remaining 193.52-acres out of said 208.30-acre Honey Rock LTD tract; and

WHEREAS, The Planning and Zoning Commission, by unanimous vote of members present, did find the proposed rezoning and original zoning assignments to be consistent with the City of Burnet Future Land Use Plan and the best public interest; and

WHEREAS, The City Council has given due consideration to the Planning and Zoning Commission recommendation regarding said rezoning and original zoning assignments; and

WHEREAS, Based on these findings, the City Council has determined that approval of said zone change and original zoning assignments will be consistent with the best public interest of the City;

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. Zoning Changed. That property identified as being approximately 14.87-acres out of Part of Tract 6 (Inside City) of the Susano Hernandez ABS, A0398, and more particularly described by metes and bounds in Exhibit A attached hereto and incorporated by reference for all purposes herein, is hereby assigned a zoning designation of Medium Commercial—District C-2

Section 3. Original Medium Commercial—District C-2 Zoning Assigned. That property identified as being 11.93-acre portion of Tract 3A of the Francisco Ybarbo ABS, A1018 and more particularly described by metes and bounds in Exhibit B attached hereto and incorporated by reference for all purposes herein is hereby assigned an original zoning designation of Medium Commercial—District C-2.

Section 4. Original Multi-family Residential—District R-3 Zoning Assigned. That property identified as being approximately 23.40 acres out of Tract 3A of the Francisco Ybarbo, ABS, A1018 and more particularly described by metes and bounds in Exhibit C attached hereto and incorporated by reference for all purposes herein is hereby assigned an original zoning designation of Multi-family Residential—District R-3.

Section 5. Original Single-family Residential—District 1 R-1 Zoning Assigned. That property identified as being comprised of approximately 43.14-acres comprising part of Tract 6 out of the Susano Hernandez ABS A0398 and the adjoining approximately 115.05-acres out of Tract 3A of the Francisco Ybarbo ABS, A1018, said property being more particularly described by metes and bounds in Exhibit D attached hereto and incorporated for all purposes herein, is hereby assigned an original zoning designation of Single-family Residential 1—District R-1..

Section 6. Repealer. That other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

Section 7. Severability. That should any provisions of this ordinance 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 8. Effective Date. That this ordinance following final passage and approval shall become effective on December 31, 2015.

Section 9. 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, Chapter. 551, Loc. Gov't. Code.

PASSED AND APPROVED on First Reading this 14TH day of July, 2015.

FINALLY PASSED AND APPROVED on this 28TH day of July, 2015.

CITY OF BURNET, TEXAS



Gary Wideman, Mayor

ATTEST:



Kelly Dix, City Secretary

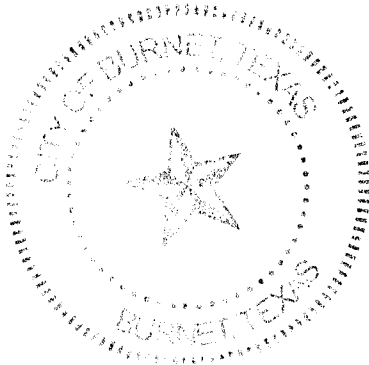


EXHIBIT A

