

**ORDINANCE NO. 2017-05**

**AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING MEDIUM COMMERCIAL – DISTRICT C-2 ZONING TO THE EAST ONE-HALF OF LOT 3, BLOCK 29, PETER KERR PORTION WHICH IS FURTHER DESCRIBED AS BEING 206 W. BRIER STREET; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, The Planning and Zoning Commission of the City of Burnet, on April 3, 2017, did conduct a public hearing for the purpose of taking public comment regarding the proposal to assign Medium Commercial – District C-2 zoning to the east one-half of Lot 3, Block 29, Peter Kerr Portion which is further described as being 206 W Brier Street; and

**WHEREAS**, The City Council of the City of Burnet, on April 11, 2017 did conduct its own public hearing for the purpose of taking public comment regarding the same proposal to assign Medium Commercial – District C-2 zoning to said east one-half of Lot 3, Block 29, Peter Kerr Portion which is further described as being 206 W Brier Street; and

**WHEREAS**, The City Council, based on due consideration of the Planning and Zoning Commission recommendation as well as its own deliberations did determine that assigning Medium Commercial – District C-2 zoning to said east one-half of Lot 3, Block 29, Peter Kerr Portion which is further described as being 206 W Brier Street to be consistent with the City of Burnet Future Land Use Plan, consistent with development patterns in the surrounding area and 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.** The east one-half of Lot 3, Block 29, Peter Kerr Portion which is further described as being 206 W Brier Street is hereby assigned a zoning designation of Medium Commercial – District C-2.

**Section 3. Repealer.** That other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

**Section 4. 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 5. Effective Date.** That this ordinance is effective upon final passage and approval.

**Section 6. 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 11<sup>th</sup> day of April, 2017.

**FINALLY PASSED AND APPROVED** on this 25<sup>th</sup> day of April, 2017.

**CITY OF BURNET, TEXAS**

  
Gary Wideman, Mayor

**ATTEST:**

  
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Kelly Dix, City Secretary

