

**ORDINANCE NO. 2014-25**

**AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY REZONING 1818 E POLK STREET WHICH IS FURTHER DESCRIBED AS BEING TRACT I: BEING 5.76-ACRES OF LAND OUT OF THE SARAH ANN GUEST SURVEY, NUMBER 1503, ABSTRACT NUMBER 1525, BURNET COUNTY TEXAS, SAME BEING ALL OF THAT CERTAIN ROSANNE HAYMAN 5.759 ACRE TRACT RECORDED IN DOCUMENT NUMBER 0714443, OFFICIAL PUBLIC RECORDS, BURNET COUNTY, TEXAS, AND TRACT II: BEING A FIVE FOOT WIDE WATERLINE EASEMENT OUT OF THE SARAH ANN GUEST SURVEY, NO. 1503, ABSTRACT NO. 1525 OF BURNET COUNTY, TEXAS ALSO BEING A PORTION OF THAT CERTAIN FRANK FICKETT 46.311 ACRE TRACT DESCRIBED AS TRACT I IN VOLUME 427, PGS. 435-411 AND ALSO BEING A PORTION OF CERTAIN HAROLD D. MORGAN AND JUNE D. MORGAN 5.759 ACRE TRACT RECORDED IN VOL. 434, PGS. 326-331 FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL 1—DISTRICT “R-1,” TO A SEDINGATION OF MEDIUM COMMERCIAL—DISTICT “C-2;” 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 December 8, 2014, did conduct a public hearing for the purpose of taking public comment regarding the proposal to rezone 1818 E Polk Street, which is more particularly described in the above ordinance caption from its current zoning designation of Single-family Residential 1—District R-1, to a designation of Medium Commercial—District “C-2;” and

**WHEREAS,** The City Council has given due consideration to said Planning and Zoning Commission recommendation; and

**WHEREAS,** Based on these findings, the City Council has determined that approval of said zone change 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.** Tract I: Being 5.76-acres of land out of the Sarah Ann Guest Survey Number 1503, Abstract Number 1525, Burnet County Texas, same being all of that certain Rosanne Hayman 5.759 acre tract recorded in document number 0714443, Official Public Records, Burnet County, Texas, and Tract II: being a

five foot wide waterline easement out of the Sarah Ann Guest Survey No 1503, Abstract No 1525 of Burnet County Texas also being a portion of that certain Frank Fickett 46.311 acre tract described as Tract I in volume 427, Pgs. 435-441 and also being a portion of certain Harold D. Morgan and June D. Morgan 5.759 acre tract recorded in Vol. 434. Pgs. 326-331 and more particularly described by 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. 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.

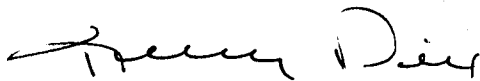
**PASSED AND APPROVED** on First Reading this 9<sup>th</sup> day of December, 2014.

**FINALLY PASSED AND APPROVED** on this 13<sup>th</sup> day of January, 2015.

**CITY OF BURNET, TEXAS**

  
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Gary Wideman, Mayor

**ATTEST:**



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Kelly Dix, City Secretary

# EXHIBIT A

