

## Ordinance

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE AND MAP OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND CHANGING THE ZONING ON APPROXIMATELY 80.122 ACRES OF LAND SITUATED IN THE WILLIAM B. CAPPS SURVEY, ABSTRACT NO. 140, ADDRESSED AS 1500 CR 602, CITY OF BURLESON ETJ, JOHNSON COUNTY, TEXAS, AND FURTHER DESCRIBED IN THE ATTACHED LEGAL DESCRIPTION, FROM THE DEFAULTED "A" AGRICULTURAL TO "SF10" SINGLE-FAMILY DWELLING DISTRICT-10; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council passed, approved, and adopted Ordinance B-582, being the Zoning Ordinance and Map of the City of Burleson, Texas, showing the locations and boundaries of certain districts, as amended, and codified in Appendix B of the City of Burleson Code of Ordinances (2005) (the "Zoning Ordinance and Map"); and

WHEREAS, an application for a zoning change was filed by **Srini Geedipally** on **September 2, 2025**, under **Case Number 25-258**, on property described herein below filed application with the City petitioning an amendment of the Zoning Ordinance and Map so as to rezone and reclassify said property from its current zoning classification; and

WHEREAS, the Planning and Zoning Commission of Burleson, Texas, held a public hearing on said application after at least one sign was erected upon the property on which the change of classification is proposed in accordance with the Zoning Ordinance and Map, and after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such notice being served by depositing the same, properly addressed and postage paid, in the U.S. mail; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Burleson, Texas voted **X to X** to recommend approval to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classifications of **Agricultural (A)** to **Single-family dwelling district-10 (SF10)** and

WHEREAS, notice was given of a further public hearing to be held by the City Council of the City of Burleson, Texas, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Burleson, Texas, being informed as to the location and nature of the use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Burleson, Texas, has changed in character since the enactment of its classification of **Agricultural (A)** and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community; and

WHEREAS, the City Council of the City of Burleson, Texas, may consider and approve certain ordinances or ordinance amendments at only one meeting in accordance with Section 2-4 of the City of Burleson Code of Ordinances (2005); and

WHEREAS, the City Council of the City of Burleson, Texas, finds that this Ordinance may be considered and approved in only one meeting because the provisions of this Ordinance concern an individual zoning case that does not propose a change to the language of the City of Burleson Code of Ordinances.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS:**

### **Section 1 MAP AND ZONING AMENDMENT**

The Official Zoning Map is hereby amended insofar as it relates to certain land located in Burleson, Texas, described on the legal description attached as **Exhibit A**, by changing the zoning of said property from A, Agricultural to SF10, Single-family dwelling district-10.

### **Section 2**

The property shall be developed and used in accordance with the applicable provisions of the City of Burleson, Code of Ordinances.

### **Section 3.**

The findings and recitals set forth above in the preamble of this ordinance are incorporated into the body of this ordinance as if fully set forth herein.

### **Section 4.**

It is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

### **Section 5.**

This ordinance shall be cumulative of all provisions of ordinances of the City of Burleson, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Burleson's various development ordinances conflict with this ordinance, the terms of this ordinance shall control.

#### **Section 6.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

#### **Section 7.**

An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for that purpose.

#### **Section 8.**

Any person, firm, association of persons, company, corporation, or their agents, its servants, or employees violating or failing to comply with any of the provisions of this article shall be fined, upon conviction, not less than one dollar (\$1.00) nor more than two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative of other remedies provided by State Law, and the power of injunction as provided in Texas Local Government Code 54.012 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

#### **Section 9.**

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

**PASSED AND APPROVED:**

**First and Final Reading:** the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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Chris Fletcher, Mayor  
City of Burleson, Texas

ATTEST:

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Amanda Campos, City Secretary

APPROVED AS TO FORM:

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E. Allen Taylor, Jr., City Attorney

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION:**

**BEING** 80.122 acres or (3,490,128 square feet) of land in the William B. Capps Survey, Abstract Number 140, Johnson County, Texas; said 80.122 acres or (3,490,128 square feet) of land being the remaining portion of that certain tract of land described in a Warranty Deed to Dennis Stanford (hereinafter referred to as Stanford tract), as recorded in Volume 410, Page 590, Deed Records, Johnson County, Texas (D.R.J.C.T.); said 80.122 acres or (3,490,128 square feet) of land being more particularly described, by metes and bounds, as follows:

**BEGINNING** at a one-half inch iron rod found for the Northeasterly corner of the remainder of said Stanford tract, same being the Northwest corner of that certain tract of land described in a Warranty Deed to Darwin and Jennifer Kinsey (hereinafter referred to as Kinsey tract), as recorded in Book 2976, Page 105, Official Public Records, Johnson County, Texas (O.P.R.J.C.T.), same also being the South line of that certain tract of land described in a Deed of Trust to TBEN LLC (hereinafter referred to as TBEN tract), as recorded in Instrument Number 2019-13136, O.P.R.J.C.T.;

**THENCE** South 09 degrees 15 minutes 27 seconds East, departing the South line of said TBEN tract, with the common line between the remainder of said Stanford tract and said Kinsey tract, a distance of 236.84 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for corner;

**THENCE** North 88 degrees 26 minutes 00 seconds East, continue with the common line between the remainder of said Stanford tract and said Kinsey tract, a distance of 207.93 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for corner in the apparent existing West right-of-way line of County Road 602 (variable width right-of-way, no record found);

**THENCE** South 00 degrees 07 minutes 23 seconds East with the common line between said Stanford tract and the apparent existing West right-of-way line of said County Road 602, a distance of 1117.09 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set in the South line of said Stanford tract, same being the Northeast corner of that certain tract of land described in a Warranty Deed to Billy D. Stanford (hereinafter referred to as Billy Stanford tract), as recorded in Volume 551, Page 175, D.R.J.C.T.;

**THENCE** South 88 degrees 43 minutes 45 seconds West, departing the existing West right-of-way line of said County Road 602, with the common line between said Stanford tract and said Billy Stanford tract, pass at a distance of 284.50 feet, the Northwest corner of said Billy Stanford tract, same being the Northeast corner of the remainder of that certain tract of land in a Warranty Deed to Thelma Ray (hereinafter referred to as Ray tract), as recorded in Volume 333, Page 195, D.R.J.C.T. and continue

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION (Continued):**

with said course, the common line between said Stanford tract and said Ray tract for a total distance of 502.52 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for corner, same being the Northwest corner of the remainder of said Ray tract, same being the Northeast corner of that certain tract of land described as Taylor Bridge Estates, an addition to the City of Burleson, Johnson County, Texas, according to the plat recorded in Volume 9, Page 363, Slide C, Plat Records, Johnson County, Texas;

**THENCE** South 89 degrees 21 minutes 27 seconds West with the common between said Stanford tract and said Taylor Bridge Estates, a distance of 1015.53 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for corner, same being the Northwest corner of said Taylor Bridge Estates, same being the Northeast corner of that certain tract of land described in a Warranty Deed with Vendor's Lien to Arthur J. Speece, III and wife, Dorothy G. Speece (hereinafter referred to as Speece tract), as recorded in Volume 1775, Page 767, D.R.J.C.T.;

**THENCE** North 89 degrees 36 minutes 20 seconds West with the common line between said Stanford tract and said Speece tract, a distance of 1103.29 feet to a one-half inch iron rod found for the Southwest corner of said Stanford tract, same being the Southeast corner of that certain tract of land described in a Special Warranty Deed to Lori L. Sommers (hereinafter referred to as Sommers tract), as recorded in Book 2445, Page 461, O.P.R.J.C.T.;

**THENCE** North 00 degrees 21 minutes 31 seconds West, departing the North line of said Speece tract, with the common line between said Stanford tract and said Speece tract, a distance of 194.53 feet to a five-eighths inch iron rod found for the Northeast corner of said Speece tract, same being the Southeast corner of that certain tract of land described in a General Warranty Deed to David M. Garcia and wife, Elvira G. Garcia (hereinafter referred to as Garcia tract), as recorded in Book 1684, Page 666, O.P.R.J.C.T.;

**THENCE** North 00 degrees 07 minutes 55 seconds East with the common line between said Stanford tract and said Garcia tract, a distance of 587.15 feet to a five-eighths inch iron rod with plastic cap stamped "RPLS 4838" set for corner, same being the Northeast corner of said Garcia tract, same being the Southeast corner of that certain tract of land described in a Warranty Deed to Frances D. Lyles and Edward R. Lyles (hereinafter referred to as Lyles tract), as recorded in Book 4037, Page 654, O.P.R.J.C.T.;

**THENCE** North 00 degrees 14 minutes 25 seconds East with the common line between said Stanford tract and said Lyles tract, a distance of 560.21 feet to a three-eighths inch iron rod found for the Northwest corner of said Stanford tract, same being the Northeast corner of said Lyles tract, same also being in the South line of that certain tract of land described in a Special

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION (Continued):**

Warranty Deed to Bloomfield Homes, LP (hereinafter referred to as Bloomfield Homes tract), as recorded in Instrument Number 2012-11328, O.P.R.J.C.T.

**THENCE** North 89 degrees 33 minutes 36 seconds East with the common line between said Stanford tract and said Bloomfield Homes tract, pass at a distance of 855.16 feet, the Southeast corner of said Bloomfield Homes tract, same being the Southwest corner of the aforesaid TBEN tract and continue with said course, with the common line between said Stanford tract and said TBEN tract for a total distance of 2370.36 feet to the **PLACE OF BEGINNING**, and containing a calculated area of 80.122 acres or (3,490,128 square feet) of land.