



Item Brief

Meeting Date

January 13, 2026

Agenda Item

Public hearing and action: Ordinance No. 2026-02: L. Kimbler

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY REZONING PROPERTY KNOWN AS 105 E KERR STREET FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2”; PROVIDING CUMULATIVE, REPEALER, AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

1. Staff Presentation
2. Public Hearing
3. Discuss and consider action

Information

The subject property is an undeveloped lot located on the south side of East Kerr Street in the middle of the block between North Pierce Street and North Main Street. It is currently zoned as Single-Family Residential – District “R-1”.

This lot was originally part of a larger lot situated at the corner of North Main and East Kerr Street. Following the recent platting process that subdivided the original parcel into two separate lots, the applicant is now requesting a rezoning of this lot to Duplex – District “R-2” to allow for the potential construction of a two-unit residential building.

District “R-2” zoning allows two-, three-, and four-unit residential structures, requiring a minimum living area of 900 square feet per unit. The zoning district also requires a minimum lot size of 4,500 square feet per unit and a minimum lot width of 75 feet. The subject lot is 11,064 square feet and has a lot width of 80 feet, meeting all minimum requirements for the proposed zoning classification.

The property is served by all City water, sewer, and electric utilities and is not located within a special flood hazard area.

Properties adjacent to the subject property are zoned as follows:

	North	South	East	West
Zoning	"R-1"	"R-1"	"R-1"	"R-1"
FLUM	Residential	Residential	Residential	Residential
Land Use	Single-Family Home	Single-Family Home	Single-Family Home	Single-Family Home

There are two lots in this area currently zoned Duplex – District "R-2". One of these lots is located within the 200-foot notification boundary, and the other is just outside of it. However, both lots are developed and used as single-family residences.

Public Notification

Written notices were mailed to 17 surrounding property owners within 200 feet of the subject property. There have been two responses received in opposition to the request and zero responses in favor.

P&Z Report

Planning and Zoning met on Monday, January 5th and recommended approval of the proposed ordinance as presented.

Recommendation

Open the public hearing.
Discuss and consider Ordinance 2026-02.

105 E KERR STREET



Exhibit A – Location North of Hwy 29 and East of Hwy 281

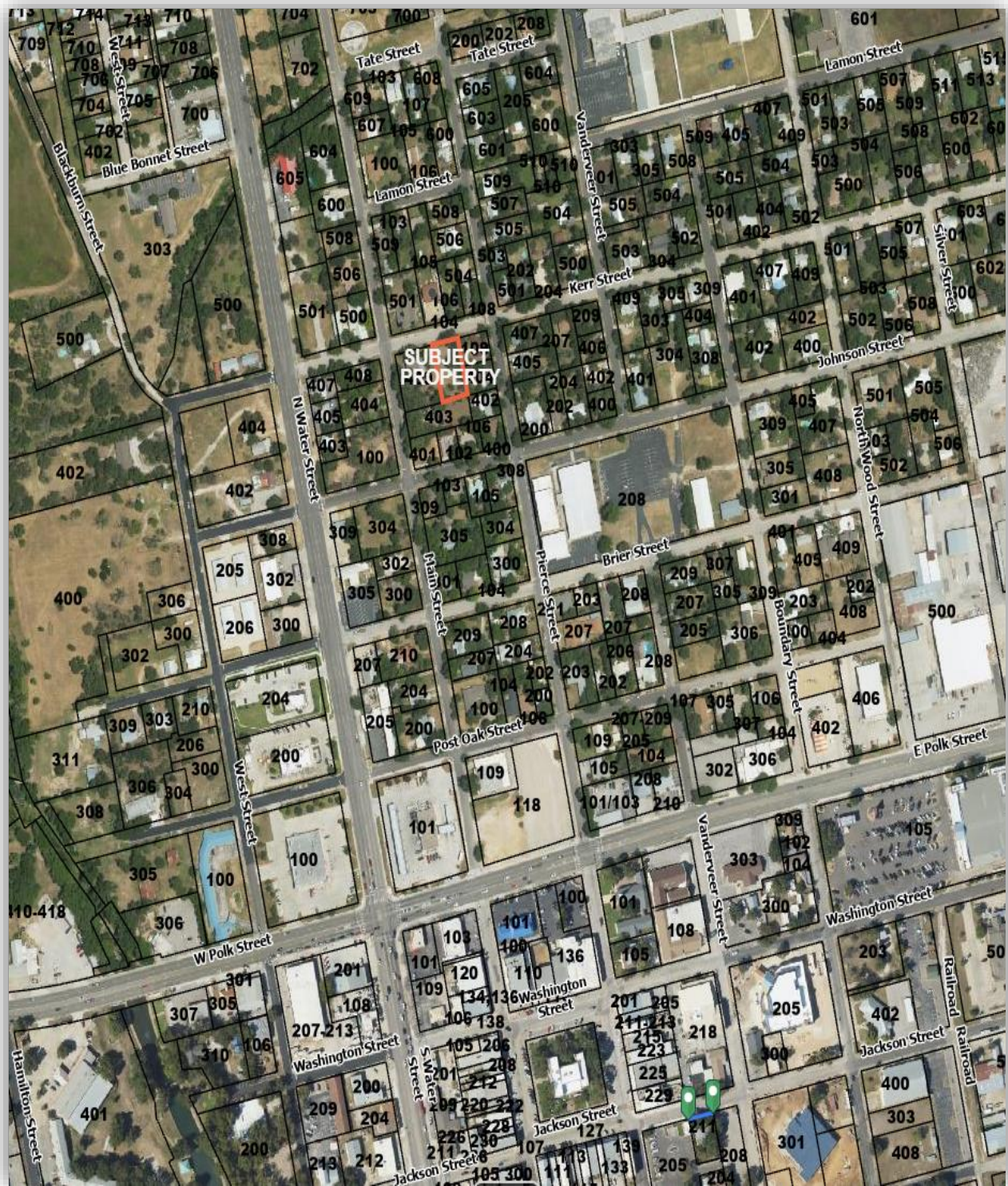


Exhibit B – Applicant's Request

LETTER OF INTENTION

We believe the P&Z and City Council should approve a rezone of the fore mentioned property from R1 to R2 for the highest and best use of the current vacant and newly platted lot.

The request and consideration for the zoning change will bring further investment into the City of Burnet as well as more tax base and income to be used in Burnet County.

ORDINANCE NO. 2026-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY REZONING PROPERTY KNOWN AS 105 E KERR STREET FROM ITS PRESENT DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO A DESIGNATION OF DUPLEX – DISTRICT “R-2”; PROVIDING CUMULATIVE, REPEALER, AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council, by the passage and approval of Ordinance No. 2021-01, affixed the zoning classifications for each and every property located within the City in accordance with the Official Zoning Map as approved with said ordinance; and

WHEREAS, the purpose of this Ordinance is to amend the Official Zoning Map by amending the zoning classification of the Real Property (“Property”) described herein; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on the matter, deliberated the merits of the proposed amendment of zoning classification and made a report and recommendation to City Council; and

WHEREAS, in passing and approving this ordinance it is legislatively found the Planning and Zoning Commission and City Council complied with all notice, hearing, and meetings requirements set forth in Texas Local Government Code Chapter 211; Texas Government Code Chapter 551, the City Charter; and Chapter 118, of the Code of Ordinances; and

WHEREAS, City Council, after considering the testimony and comments of the public, reports and recommendations of City Staff and the Planning and Zoning Commission, and the deliberation of its members, by passage and approval of this Ordinance hereby determines the action taken herein is meritorious and beneficial to the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section One. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted and made a part hereof for all purposes as findings of fact.

Section Two. Property. The Property that is the subject to this Zoning District Reclassification is: **105 E KERR ST** (LEGAL DESCRIPTION: BEING 0.254 ACRES OF LAND, MORE OR LESS, OUT OF THE PETER KERR PORTION, ABS. NO S7150, LOT 4B, BLOCK 32), as shown on **Exhibit “A”** hereto.

Section Three. Zoning District Reclassification. **DUPLEX – DISTRICT “R-2”** Zoning District Classification is hereby assigned to the Property described in Section Two.

Section Four. Zoning Map Revision. The City Secretary is hereby authorized and directed to revise the Official Zoning Map to reflect the change in Zoning District Classification approved by this Ordinance.

Section Five. Repealer. Other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent of such conflict.

Section Six. Severability. This Ordinance is severable as provided in City Code Section 1-7 as same may be amended, recodified or otherwise revised.

Section Seven. Effective Date. This ordinance is effective upon final passage and approval.

PASSED AND APPROVED on this the 13th day of January 2026.

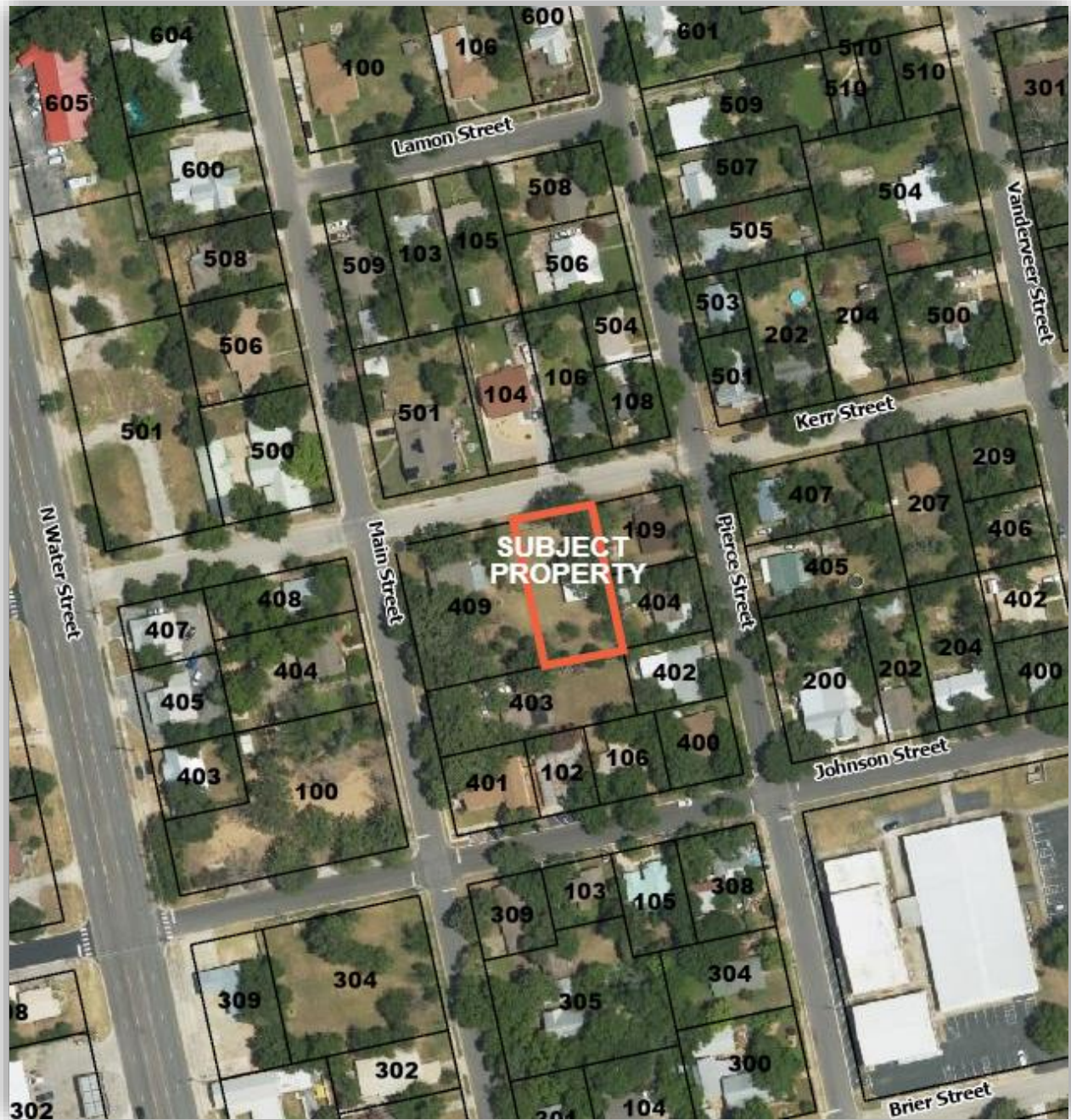
CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Maria Gonzales, City Secretary

Location Map
105 E KERR STREET



Letter of Opposition

From: [Patrick Caballero](#)
To: [Development Services Dept.](#)
Subject: objection - rezoning request 105 E Kerr
Date: Monday, December 29, 2025 1:20:30 PM

You don't often get email from caballero.patrick@gmail.com. [Learn why this is important](#)

Caution: External Email

Be advised that Patrick and Tina Caballero object to the rezoning of the property located at 105 E Kerr Street Burnet, TX from "R-1" to "R-2." We own and reside at 104 E Kerr St, Burnet, TX 78611.

Also please verify the owner and applicant of the property. Are they the same individual or business? Also, has an application for a building permit been submitted?

Patrick Caballero
979 525-1210
caballero.patrick@gmail.com

Letter of Opposition

From: [W.Halliday](#)
To: [Development Services Dept.](#)
Subject: Response to the Rezoning request for 105 E. Kerr St
Date: Sunday, January 4, 2026 8:45:31 PM

You don't often get email from wshall16@gmail.com. [Learn why this is important](#)

Caution: External Email

To Whom It May Concern:

As a resident of Burnet and owner of 106 E. Kerr Street., I am writing to oppose the rezoning of 105 E. Kerr Street. My family have been residents of Burnet for three generations, starting when my grandparents first built a home here in 1960. I grew up visiting my grandparents and spending summers with them, and fell in love with this small, country town. I eventually made Burnet my permanent home and not much had changed other than the number of residents. It still had that old town, close knit feel of a small town.

I purchased 106 E. Kerr St. because it was in a quaint, quiet neighborhood with small, older homes that represent the history of Burnet. I intend to retire and make 106 E. Kerr St. my final, permanent home. I love the street because many of the neighbors are Burnet natives and appreciate the old town feel. Also, Kerr Street is lined with simple but beautiful homes surrounded by old pecan, oak and many other types of old trees. To remove this historic look by adding a duplex would completely change the feel and look of our street and neighborhood. The modern look would be an eyesore and take away from the vast unique, but older architecture of the homes on our street.

In addition, duplexes bring in multiple residents, therefore increasing the number of vehicles parked on our street. The streets are narrow and additional vehicles would result in more difficulty backing out of my driveway. It would also increase traffic congestion during peak hours. Multi-family structures also typically bring increased noise, dramatically changing a once quiet neighborhood.

Furthermore, multi-family structures in the middle of old, owner occupied homes reduces not only the aesthetics of the neighborhood, but also reduces our property value. Nobody wants to see a modern, out of place structure amongst old homes rich with history.

I have been saddened to see any old home in Burnet torn down to make way for a more modern, multi-family structure such as duplexes. Burnet is rich with history and to see the old homes torn down and replaced with unsightly duplexes is disheartening. I do not want to see it happen on our street and fear if it does, it will not only take away from the beautiful and serene look of our neighborhood, but it will also pave the way for future multi-family development.

I am asking that you please maintain the unique historic appeal of Burnet and deny the rezoning of 105 E. Kerr Street. To not do so would negatively impact the quality of life for all those that call Kerr Street home.

Thank you,
Wendy Halliday
832-621-8019