



## Item Brief

### **Meeting Date**

October 14, 2025

### **Agenda Item**

Public hearing and action: Ordinance No. 2025-44: 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 500 N MAIN STREET FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1”; 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 located at the northwest corner of North Main Street and West Kerr Street. It is currently zoned as Light Commercial (C-1); however, the existing structure on the property is a residential dwelling.

According to City records, the property was previously addressed as 502 N Main Street. In 1984, City Council approved a request to rezone the property from Residential to General Retail to allow for the operation of a day care facility. Between 1984 and 1993, the property was re-addressed, and a new residential structure was constructed. Since the completion of the new residential structure in 1993, City records indicate the property has been continuously used as a single-family residence.

The current property owner is requesting amendments to both the Future Land Use Map and the Zoning Map in order to reclassify the property as Residential. This request is being made to facilitate the sale of the property to a prospective buyer who intends to continue using it as a single-family residence and is seeking residential financing, which requires the zoning to align with residential use.

Given the existing residential character of the neighborhood, the long-standing residential use of the property, and the absence of foreseeable commercial development in this area, it would be appropriate to amend the Zoning Map to reflect the property's current and intended use as residential.

Properties adjacent to the subject property are zoned as follows:

	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<b>Zoning</b>	"R-1"	"R-1"	"R-1"	"C-2"
<b>FLUM</b>	Commercial	Commercial	Residential	Commercial
<b>Land Use</b>	Residential	Residential	Residential	Undeveloped

### **Public Notification**

Written notices were mailed to 14 surrounding property owners within 200 feet of the subject property. There have been zero responses in favor and zero responses in opposition.

### **P&Z Report**

Planning and Zoning will meet on Monday, October 6<sup>th</sup>; staff will present P&Z's recommendation at the City Council meeting.

### **Recommendation**

Open the public hearing.

Discuss and consider Ordinance 2025-44.

This is an aerial map of a residential neighborhood, likely in a city like San Jose, California, based on the zoning codes. The map shows property lines, lot numbers, and zoning designations. The subject property is highlighted in red and labeled "SUBJECT PROPERTY" and "C-1". It is located at the intersection of N Water Street and West Street, with lot numbers 501 and 500. Surrounding properties are color-coded: yellow for C-1, green for NC (Neighborhood Commercial), blue for G (General), and orange for R-1 (Residential Single-Family). Streets shown include Tate Street, Lanon Street, Kerr Street, Johnson Street, N Water Street, West Street, and Blue Bonnet Street. The map also shows various other lot numbers and zoning codes throughout the neighborhood.

## **ORDINANCE NO. 2025-44**

**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 500 N MAIN STREET FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – DISTRICT “C-1” TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1”; 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 the zoning classification and has 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 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: **500 N MAIN STREET** (LEGALLY DESCRIBED AS: being a 0.381 acre tract of land out of the John Hamilton Survey No. 1, Abstract No. 405). as shown on **Exhibit “A”** hereto.

**Section Three. Zoning District Reclassification.** **SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1”** 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 14<sup>th</sup> day of October 2025.

**CITY OF BURNET, TEXAS**

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Gary Wideman, Mayor

**ATTEST:**

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Maria Gonzales, City Secretary



## Exhibit "A"

### Location Map 500 N MAIN STREET

