**ORDINANCE NO. 2016-17**

**AN ORDINANCE AMENDING ORDINANCE NO. 2012-06 BY ASSIGNING DUPLEX – DISTRICT R-2 ZONING TO LOT 4 AND PART OF LOT 1, BLOCK 38; VANDERVEER/ALEXANDER SURVEY 8450, WHICH IS FURTHER DESCRIBED AS BEING 603 E. PECAN STREET; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATEATE**

**WHEREAS,** The Planning and Zoning Commission of the City of Burnet, on July 5, 2016, did conduct a public hearing for the purpose of taking public comment regarding the proposal to assign Duplex – District R-2 zoning to Lot 4 and part of Lot 1, Block 38, Vanderveer/Alexander Survey 8450 which is further described as being 603 E. Pecan Street; and

**WHEREAS**, The Planning and Zoning Commission, in deliberation following its public hearing did find the proposed zoning 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; and

**WHEREAS,** The Planning and Zoning Commission, by a unanimous vote of members present, did recommend assigning Duplex – District R-2 zoning to said 603 E. Pecan Street; and

**WHEREAS**, The City Council, on July 26, 2016 conducted its own public hearing for the purpose of taking comment regarding said 603 E. Pecan 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 assignment of Duplex – District R-2 zoning 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.** Lot 4 and part of Lot 1, Block 38, Vanderveer/Alexander Survey 8450 which is further described as being 603 E. Pecan Street is hereby assigned a zoning designation of Duplex – District R-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 Repealer.** That other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.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 otherparts 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 26TH day of July, 2016.

**FINALLY PASSED AND APPROVED** on this 9TH day of August, 2016.

 **CITY OF BURNET, TEXAS**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 Gary Wideman, Mayor

**ATTEST:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Kelly Dix, City Secretary