



## NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BURNET, TEXAS

This notice is posted pursuant to the Texas Local Government Code, Chapter §551 – Open Meetings.

Notice is hereby given that the **Public Hearing and Regular Meeting of the Planning and Zoning Commission** of the City of Burnet, Texas will be held on Monday, **February 12, 2024**, at **6:00 p.m.** at the City of Burnet's Council Chambers located at 2402 S Water St., Burnet, Texas 78611 at which time the following subjects will be discussed, to-wit:

**1. CALL TO ORDER:**

**2. ROLL CALL:**

**3. CONSENT AGENDA ITEMS:** All the following items on the Consent Agenda are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these items unless a Commission member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Commission when the Consent Agenda is opened for Commission action.

- 3.1) Minutes of the meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on January 8, 2024.

**4. PUBLIC HEARINGS:**

- 4.1) Public Hearing and Consideration of the following: Plat applications, Zoning Amendments and Zoning Classifications and Plat Considerations presented by Leslie Kimbler, Planning Manager:

- (a) 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 ASSIGNING THE PROPERTY KNOWN AS 105 E THIRD STREET AND 300 E THIRD STREET FROM LIGHT COMMERCIAL – DISTRICT “C-1” TO MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”.

- (1) Staff Presentation – L. Kimbler  
(2) Public Hearing  
(3) Consideration and action.

- (b) A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “FINAL PLAT” OF WESTFALL VILLAGE SUBDIVISION, PHASE 3, A PROPOSED 44-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 14.68 ACRES; AND ACCEPTING A LETTER OF CREDIT ASSURING COMPLETION OF SUBDIVISION INFRASTRUCTURE

- (1) Staff Presentation – L. Kimbler

- (2) Public Hearing
- (3) Consideration and action.

**5. STAFF REPORTS:**

**6. REQUESTS FOR FUTURE AGENDA ITEMS:**

**ADJOURN:**

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of Burnet, is a true and correct copy of said notice and that I posted a true and correct copy of said notice on the bulletin board, in the City Hall of said City, Burnet, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted on February 9, 2024 at or before 5 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said meeting.

**Dated this the 9<sup>TH</sup> day of February 2024**

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Kelly Dix, City Secretary

***NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:***

The City of Burnet Council Chambers is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the Development Services Department at (512) 715-3209, FAX (512) 756-8560 or e-mail at [kdix@cityofburnet.com](mailto:kdix@cityofburnet.com) for information or assistance.



## NOTICE OF MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF BURNET, TEXAS

This notice is posted pursuant to the Texas Local Government Code, Chapter §551 – Open Meetings.

Notice is hereby given that the **Public Hearing and Regular Meeting of the Planning and Zoning Commission** of the City of Burnet, Texas will be held on Monday, **January 8, 2024**, at **6:00 p.m.** at the City of Burnet's Council Chambers located at 2402 S Water St., Burnet, Texas 78611 at which time the following subjects will be discussed, to-wit:

### 1. CALL TO ORDER:

The meeting was called to order at 6:00 p.m. by Chairman Gaut.

### 2. ROLL CALL:

Members present: Tommy Gaut, Calib Williams, Glen Gates, Glean Teague, and Derek Fortin

Guests: Preston Shell, Peggy Shell, Ken & Beverly Graham, John Goble, Larry Hartwell, Stephen & Cody Cox, Ann Jackson

Others present: David Vaughn, City Manager, Carly Pearson, Public Works and Development Director, and Leslie Kimbler, Planning Manager

### 3. CONSENT AGENDA ITEMS:

All the following items on the Consent Agenda are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these items unless a Commission member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Commission when the Consent Agenda is opened for Commission action.

3.1) Minutes of the meeting of the Planning and Zoning Commission of the City of Burnet, Texas held on November 6, 2023.

There being no objections, Chairman Gaut approved the minutes as presented.

### 4. PUBLIC HEARINGS:

4.1) Public Hearing and Consideration of the following: Zoning Amendments and Zoning Classifications presented by Carly Pearson, Public Works and Development Director, and Leslie Kimbler, Planning Manager:

(a) AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 118 (ENTITLED ZONING"), SECS. 118-5 & 118-68 PROVIDING FOR DEFINITIONS AND REGULATIONS FOR SHORT TERM RENTAL USES; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

- (1) Staff Presentation – C. Pearson
- (2) Public Hearing
- (3) Consideration and action.

Public Works and Development Director, Carly Pearson, presented staff's report regarding the proposed amendment to Chapter 118 provided for definitions and regulations for short term rentals. Chairman Gaut opened the public hearing at 6:02 p.m. Guest, Ken Graham, provided a handout to the Commission which he read regarding the economic costs and benefits of short-term rentals. All though Mr. Graham did speak in favor of the proposed amendments, he did caution the commission to understand what they were recommending adopting and to be aware of court cases and other litigations regarding regulations of short-term rentals. Guest, John Goble, spoke in favor of the proposed amendment, but did state that there should be great consideration in the rules to ensure they would not be a burden to the citizens who would like to participate in the STR business. There being no further public comment, Chairman Gaut closed the public hearing at 6:11 p.m. Commissioner Teague made a motion to approve the proposed amendment to Chapter 118 provided for definitions and regulations for short term rentals. The motion was seconded by Commissioner Gates. The motion carried with a vote of 5 to 0.

(b) 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 ASSIGNING THE PROPERTY KNOWN AS 506 E LEAGUE ST. AND 410 S SILVER ST. FROM ITS PRESENT DESIGNATION OF LIGHT INDUSTRIAL – "I-1" TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – "NC"; PROPERTY KNOWN AS 801 NORTHINGTON FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – "C-1" TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – "R-1"; PROPERTY KNOWN AS 303 S BOUNDARY FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – "C-1" TO A DESIGNATION OF GOVERNMENT – "G"; PROPERTY KNOWN AS 208 S VANDEVEER ST. FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – "C-1" TO A DESIGNATION OF GOVERNMENT – "G"; PROPERTY KNOWN AS 403 S SILVER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – "C-1" TO A DESIGNATION OF NEIGHBORHOOD COMMERCIAL – "NC"; PROPERTY KNOWN AS THE RANDY LONGORIA PARK FROM ITS PRESENT DESIGNATION OF AGRICULTURE – "A" TO A DESIGNATION OF GOVERNMENT – "G"; PROPERTY KNOWN AS 800 AND 802 S VANDEVEER ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – "C-1" TO A DESIGNATION OF DUPLEX – "R-2"; AND PROPERTY KNOWN AS 808 S BOUNDARY ST FROM ITS PRESENT DESIGNATION OF LIGHT COMMERCIAL – "C-1" TO A DESIGNATION OF SINGLE-FAMILY RESIDENTIAL – "R-1".

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action.

Planning Manager, Leslie Kimbler, presented staff's report regarding the request to rezone certain properties to be more compatible with the surrounding uses. Chairman Gaut opened the public hearing at 6:18 p.m. Guests, Preston and Peggy Shell spoke to the Commission to ensure the current use of their property would continue to be

allowed. After staff addressed their concern, neither guest had any further comments. There being no further comments, Chairman Gaut closed the public hearing at 6:20 p.m. Commissioner Williams made a motion to approve the request to rezone certain properties to be more compatible with the surrounding uses. The motion was seconded by Commissioner Gates. The motion carried with a vote of 5 to 0.

(c) 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 ASSIGNING THE PROPERTY KNOWN AS 611 S WATER STREET FROM SINGLE-FAMILY RESIDENTIAL – DISTRICT “R-1” TO LIGHT COMMERCIAL – DISTRICT “C-1”.

- (1) Staff Presentation – L. Kimbler
- (2) Public Hearing
- (3) Consideration and action.

Planning Manager, Leslie Kimbler, presented staff’s report regarding the request to rezone the property known as 611 S Water Street to Light Commercial District “C-1”. Chairman Gaut opened the public hearing at 6:22 p.m. There being comments, Chairman Gaut closed the public hearing at 6:22 p.m. Commissioner Teague made a motion to approve the request to rezone the property known as 611 S Water Street to Light Commercial District “C-1”. The motion was seconded by Commissioner Williams. The motion carried with a vote of 5 to 0.

4.2) The Planning & Zoning Commission shall conduct a public hearing to receive public testimony and comments on the merits of a proposed “Preliminary Plat” for approximately 25.88 acres out of Abstract A0398 Susano Hernandez Tract and Abstract 1018 & 29. The proposed “Preliminary Plat” will establish The Ranch at Delaware Creek, Phase 5, consisting of 52 residential lots: L. Kimbler

Planning Manager, Leslie Kimbler, presented staff’s report regarding the proposed Preliminary Plat of The Ranch at Delaware Creek, Phase 5. Chairman Gaut opened the public hearing at 6:24 p.m. There being comments, Commission Gaut closed the public hearing at 6:24 p.m.

## **5. ACTION ITEMS:**

5.1) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING VARIANCES TO THE CODE OF ORDINANCES, SECTION 98-48 – BLOCKS FOR THE PROPOSED PRELIMINARY PLAT OF THE RANCH AT DELAWARE CREEK, PHASE 5 SUBDIVISION: L. Kimbler

Planning Manager, Leslie Kimbler, presented staff’s report regarding the proposed variance to Code of Ordinances, Sect. 98-48 - Blocks. Commissioner Fortin made a motion to approve the requested variance to Code of Ordinances, Sect. 98-48. The motion was seconded by Commissioner Teague. The motion carried with a vote of 5 to 0.

- 5.2) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE PRELIMINARY PLAT OF THE RANCH AT DELAWARE CREEK, PHASE 5 SUBDIVISION, A PROPOSED 52-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 25.88 ACRES: L. Kimbler

Planning Manager, Leslie Kimbler, presented staff's report regarding the proposed Preliminary Plat of The Ranch at Delaware Creek, Phase 5. Commissioner Teague made a motion to approve. The motion was seconded by Commissioner Williams. The motion carried with a vote of 5 to 0.

**6. STAFF REPORTS:**

- 7. REQUESTS FOR FUTURE AGENDA ITEMS:** Commissioner Gaut requested a report on the City's water supply.

**ADJOURN:**

There being no further business, Chairman Gaut adjourned the meeting at 6:33 p.m.

\_\_\_\_\_  
Tommy Gaut, Chair  
City of Burnet Planning and Zoning Commission

**Attest:** \_\_\_\_\_  
Herve Derek Fortin, Secretary



## Development Services

## ITEM 4.1 (a)

Leslie Kimbler  
Planner  
512-715-3215  
lkimbler@cityofburnet.com

### Public Hearing and Action Item

**Meeting Date:** February 12, 2024

**Agenda Item:** 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 ASSIGNING THE PROPERTY KNOWN AS 105 E THIRD STREET AND 300 E THIRD STREET FROM LIGHT COMMERCIAL – DISTRICT “C-1” TO MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”: L. Kimbler

**Background:** This request is a city-initiated request to bring the property into compliance with the current zoning code.

**Information:** In the continued effort to clean up the zoning map to ensure each property is zoned appropriately for the use as well as the surrounding area, staff is bringing this request forward for consideration.

**Public Notification:** Written notices were mailed to 6 surrounding property owners within 200 feet of the subject property. There have been zero responses in favor and zero responses in opposition.

**Recommendation:** Open the public hearing. At the conclusion of the public hearing, discuss and consider the first reading of the draft ordinance.

**Exhibit A – Location and Current Zoning**  
105 E THIRD ST & 300 E THIRD ST





**ORDINANCE NO. 2024-XX**

**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 ASSIGNING THE PROPERTY KNOWN AS 105 E THIRD STREET AND 300 E THIRD STREET FROM LIGHT COMMERCIAL – DISTRICT “C-1” TO MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3”**

**WHEREAS**, the City Council, by the passage and approval of Ordinance No. 2021-001, 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 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**, it is further legislatively found that this proposed zoning reclassification of property does not require an amendment to the Future Land Use Plan; 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 known as: 105 E THIRD STREET (LEGALLY DESCRIBED AS: BEING 4.307 ACRES OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABS. NO 405) as shown on **Exhibit “A”** hereto.

**Section three. Zoning District Reclassification.** MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” Zoning District Classification is hereby assigned to the Property described in section two.

**Section four. Property.** The Property that is the subject to this Zoning District Reclassification is known as: 300 E THIRD STREET (LEGALLY DESCRIBED AS: BEING TRACT 3 & PT OF 2, 3.6 ACRES, OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405) as shown on **Exhibit “B”** hereto.

**Section five. Zoning District Reclassification.** MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” Zoning District Classification is hereby assigned to the Property described in section four.

**Section six. Property.** The Property that is the subject to this Zoning District Reclassification is known as PROPERTY LEGALLY DESCRIBED AS: BEING TRACT 3 & PT OF 2, 2.09 ACRES, OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405 as shown on **Exhibit “C”** hereto.

**Section seven. Zoning District Reclassification.** MULTI-FAMILY RESIDENTIAL – DISTRICT “R-3” Zoning District Classification is hereby assigned to the Property described in section six.

**Section twenty. 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 twenty-one. Repealer.** Other ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent of such conflict.

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

**Section twenty-three. Effective Date.** This ordinance is effective upon final passage and approval.

**PASSED** on First Reading the 13<sup>th</sup> day of February 2024.

**PASSED AND APPROVED** on this the 27<sup>th</sup> day of February 2024.

**CITY OF BURNET, TEXAS**

\_\_\_\_\_  
Gary Wideman, Mayor

**ATTEST:**

\_\_\_\_\_  
Kelly Dix, City Secretary

**Exhibit "A"**

105 E THIRD STREET (LEGALLY DESCRIBED AS: BEING 4.307 ACRES OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABS. NO 405)



**Exhibit "B"**

300 E THIRD STREET (LEGALLY DESCRIBED AS: BEING 3.6 ACRES, TRACT 3 & PT OF 2, OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405)



**Exhibit "C"**  
PROPERTY LEGALLY DESCRIBED AS: BEING TRACT 3 & PT OF 2, 2.09 ACRES,  
OUT OF THE JOHN HAMILTON SURVEY NO. 1, ABS. NO. 405





## Development Services

## ITEM 4.1(b)

Leslie Kimbler  
Planner  
512-715-3215  
lkimbler@cityofburnet.com

### Agenda Item Brief

**Meeting Date:** February 12, 2024

**Agenda Item:** **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “FINAL PLAT” OF WESTFALL VILLAGE SUBDIVISION, PHASE 3, A PROPOSED 44-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 14.68 ACRES; AND ACCEPTING A LETTER OF CREDIT ASSURING COMPLETION OF SUBDIVISION INFRASTRUCTURE:**  
L. Kimbler

**Background:** The proposed Westfall Villages Subdivision, Phase 3 (Exhibit A) is a single-family residential subdivision with 44 lots. This subdivision will extend the existing Coke Street into the subdivision has created one new internal street, Water Well Road.

The preliminary plat was approved by P&Z and City Council in March of 2022. Construction plans for Westfall Village Subdivision, Phase 3 were approved by city staff and engineer in October of 2022.

**Staff Analysis:** The proposed Final Plat of Westfall Village Subdivision, Phase 3 has been reviewed using Code of Ordinances Section 98-24 (Final Plats) as a guide. It has been found to comply with ordinance requirements relating to form and content.

The applicant has submitted a Letter of Credit (Exhibit B) assuring the completion of the subdivision infrastructure which allows the applicant to file the Final Plat. The proposed Resolution accepts the Letter of Credit subject to the following:

- (a) The public improvements are completed and preliminary accepted before February 13, 2025; and
- (b) At the time of preliminary acceptance of the public improvements the subdivider provides a warranty or maintenance bond, assuring the quality of materials and workmanship, and maintenance of all public improvements; and

- (c) Failure to timely complete the public improvements shall cause the city manager to draw on the letter of credit to complete the public improvements; and
- (d) The public improvements shall not be accepted until all improvements have been satisfactorily completed; and
- (e) The city shall withhold all city services to the subdivision until the public improvements are satisfactorily completed and accepted; and
- (f) Sidewalks shall be completed prior to the issuance of Certificate of Occupancy.

**Recommendation:** Open the public hearing. At the conclusion of the public hearing, discuss and consider the first reading of the draft resolution.

**RESOLUTION NO. R2024-XX**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “FINAL PLAT” OF WESTFALL VILLAGE SUBDIVISION, PHASE 3, A PROPOSED 44-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 14.68 ACRES; AND ACCEPTING A LETTER OF CREDIT ASSURING COMPLETION OF SUBDIVISION INFRASTRUCTURE**

**Whereas**, City Council has approved a preliminary plat of the Westfall Village Subdivision, Phase 3; and

**Whereas**, the Planning and Zoning Commission has made its recommendation on the final plat of the Westfall Village Subdivision, Phase 3; and

**Whereas**, the city staff and the city engineer have opined the application substantially complies with the subdivision ordinance; and

**Whereas**, accordance with City Code Sec. 98-61, the applicant has requested the final plat be recorded after approval and that the applicant be allowed to provide a letter of credit to assure applicant’s completion of infrastructure after plat recordation.

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

**Section 1. Findings.** That the recitals to this Resolution are incorporated herein for all purposes.

**Section 2. Approval.** The final plat of the Westfall Village Subdivision, Phase 3, is hereby approved.

**Section 3. Letter of Credit Accepted.** The Letter of Credit is accepted, subject to the following:

- (a) The public improvements are completed and preliminary accepted before February 13, 2025; and
- (b) At the time of preliminary acceptance of the public improvements the subdivider provides a warranty or maintenance bond, assuring the quality of materials and workmanship, and maintenance of all public improvements; and
- (c) Failure to timely complete the public improvements shall cause the city manager to draw on the letter of credit to complete the public improvements; and
- (d) The public improvements shall not be accepted until all improvements have been satisfactorily completed; and



- (e) The city shall withhold all city services to the subdivision until the public improvements are satisfactorily completed and accepted; and
- (f) Sidewalks shall be completed prior to the issuance of Certificate of Occupancy.

**Section 4. Authorization.** The city manager is authorized and directed to take those actions that are reasonably necessary to facilitate the purpose of this Resolution. Further, the city manager is to draw on the letter of credit to complete the public improvements, without any further city council action necessary, should the subdivider fail to complete the public improvements within the period prescribed in this resolution.

**Section 5. Recordation.** The final plat of the Westfall Village Subdivision, Phase 3 may be recorded in the Public Records of the County Clerk of Burnet County, Texas upon compliance with the requirements of Subdivision Code Sec. 98-24(h) and related regulations.

**Section 6. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

**Section 7. Effective Date.** That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

**PASSED AND APPROVED** this the 13<sup>th</sup> day of February 2024.

**CITY OF BURNET, TEXAS**

**ATTEST:**

\_\_\_\_\_  
Gary Wideman, Mayor

\_\_\_\_\_  
Kelly Dix, City Secretary



**FINAL PLAT OF  
WESTFALL VILLAGE SUBDIVISION  
PHASE 3**

14.68 ACRES  
SARAH ANN GUEST SURVEY NO. 1503, ABSTRACT NO. 1525  
BURNET COUNTY, TEXAS

STATE OF TEXAS,  
COUNTY OF BURNET,  
BEING A 14.68 ACRE TRACT OF LAND OUT OF THE SARAH ANN GUEST SURVEY NO. 1503, ABSTRACT NO. 1525,  
BEING ALL OF TRACT 1003, AS DESCRIBED BY GENERAL WARRANT DEED TO LAMAR HENRY, INC., RECORDED IN  
BOOK 2137 PAGE 1003, BURNET COUNTY, TEXAS; AND BEING A 14.68 ACRE TRACT OF LAND OUT OF THE  
POSITION OF THE 2137 ACRES COVERED BY SPECIAL WARRANTY DEED TO LAMAR HENRY, INC., RECORDED IN  
DOCUMENT NO. 208898 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS.  
WRITTEN BY AND THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

148 LAMAR, OWNER  
LAMAR HENRY, INC., A TEXAS CORPORATION  
BURNET, TEXAS 75611

STATE OF TEXAS,  
COUNTY OF BURNET  
BEING AS THE UNDERSIGNED ATTORNEY, ON THE ONE HAND, PERSONALLY APPEARED JOHN LAMAR, HENRY TO BE IN  
THE POSSESSION OF THE SUBJECT LAND, AND THE UNDERSIGNED ATTORNEY, ON THE OTHER HAND, TO BE IN  
THE POSSESSION OF THE SUBJECT LAND, AND CONSENTED THAT THE HERETOFORE SAID DEEDS SHOULD BE  
FILED FOR RECORD AND CONSIDERED THE SAID DEEDS AS VALID AND LEGAL FROM THE DATE SAID  
DATE UNDER WRIT OF HABEAS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

IN WITNESS WHEREOF, I AND FOR THE STATE OF TEXAS

SIGNATURE  
NAME  
COUNTY OF TEXAS  
L. THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT  
THE PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY WAFF LAMAR  
AS SHOWN HEREIN, AND THAT ALL NECESSARY SURVEY REGULATIONS ARE COMPLIANT HEREOF OR HAVE  
AS SHOWN HEREIN.

DEBBIE E. LUDKE,  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4130  
18015 OREGON LANE, SUITE 103  
DENVER, TEXAS 75285  
PHONE (972) 352-7900

BURNET,  
STATE OF TEXAS  
COUNTY OF BURNET  
L. THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THE  
ENGINEERING CONSIDERATION HAS BEEN GIVEN THE PLAT.

H. DON BILBONCO, JR.  
REGISTERED PROFESSIONAL ENGINEER NO. 52371  
2150 W. HARRIS STREET, SUITE 208  
CANTON, TEXAS 75626  
PHONE (972) 372-5460

**DEEDS:**

1. ACCORDING TO THE ORIGINAL DEED, RESERVE, HIDE AND GRANTMENT, MADE BY AN UNDISCOVERED PARTY  
KNOWINGLY IN 2016 AND FORTHER OF THIS TRACT LIES WITHIN THE 100 YEAR REDISTRIBUTION PERIODICAL
2. BASIS OF BURNING FOR THIS SURVEY IS THE TEXAS LAMAR CREO, ZONING, ZONE, UNCL.
3. ALL PROPERTY HEREIN IS SUBJECT TO THE CITY OF BURNET CODE OF ORDINANCES, CHAPTER 20, ARTICLE III  
NON-UNIFORM FLOODZING POLICY. AS LAW BE AMENDED, PERMIT TO CONSTITUTE ANY "REDISTRIBUTED" ACTIVES ON  
THE PROPERTY, A PERMIT WILL BE REQUIRED PURSUANT TO CHAPTER 58, ARTICLE VII.
4. THE WESTFALL VILLAGE HOUSING OWNERS ASSOCIATION IS WHOLLY RESPONSIBLE FOR OBTAINING AND MAINTAINING  
OF DRAINAGE DRAINAGE, SEWERAGE AND WASTE QUARTY EXISTENT AND THE CITY OF BURNET SHALL BE RESPONSIBLE FOR  
THE CITY OF BURNET APPROVED A VARIANCE TO THE CODE OF ORDINANCES, SECTION 58-46 - BLOCKS AND LOTS  
FOR WESTFALL VILLAGE, PHASE THREE AT THE CITY COUNCIL MEETING ON MARCH 19, 2024.
5. THESE ARE 44 SINGLE FAMILY RESIDENTIAL LOTS COVERED WITH THE PLAT
6. THERE IS 2.726 ACRES FEET OF ROAD BENEW DEVELOPED WITH THE PLAT
7. THERE IS 3.03 ACRES OF ROAD BUILT-UP DEVELOPED WITH THE PLAT
8. WATER/WASTEWATER INFRASTRUCTURE: THE CITY OF BURNET HAS AN ORDINANCE REGULATING THE ACQUISITION AND  
MAINTENANCE OF WATER/WASTEWATER INFRASTRUCTURE FOR RESIDENTIAL DEVELOPMENT. ANY DEVELOPMENT ON THE  
PROPERTY OF THE PLAT SHALL BE SUBJECT TO THE CITY OF BURNET WATER/WASTEWATER INFRASTRUCTURE PLANS  
AND THE AMOUNT TO BE COLLECTED IS DETERMINED AS PROVIDED AND BURNET BURNET, AND THE ON  
WATER/WASTEWATER INFRASTRUCTURE IS TO BE PROVIDED ON THE CONSTRUCTION OF THE WATER/WASTEWATER  
INFRASTRUCTURE SYSTEM.
9. OWNER TO COMPLY ALL SPECIAL EXISTENT AND DESIGN REGULATIONS PERIOD TO OBTAINING AND/OR  
CONTRIBUTION ON THE PROPERTY WITH THE PROPERTY REDISTRIBUTION AGENCY.
10. THE CITY OF BURNET APPROVED A VARIANCE TO THE CODE OF ORDINANCES, SECTION 58-46 - BLOCKS AND LOTS  
FOR WESTFALL VILLAGE, PHASE THREE AT THE CITY COUNCIL MEETING ON MARCH 19, 2024.
11. LOT 8, BLOCK 4 AND LOT 6, BLOCK 6 ARE HEREBY DESIGNATED AS WATER QUARTY BULK LOTS AND ARE  
EXEMPTED FROM DEVELOPMENT AND WATER QUARTY REQUIREMENTS.
12. WATER QUARTY POND LOTS ARE COVERED BY A SEWERAGE AND WASTE QUARTY EXISTENT.
13. A VARIANCE TO CODE OF ORDINANCES, SECTION 58-46 RESIDENTIAL LENGTHS OF RESIDENTIAL BLOCKS WAS GRANTED  
BY CITY COUNCIL PER RESOLUTION NO. 80022-21.

STATE OF TEXAS,  
COUNTY OF BURNET  
THE ATTACHED FINAL PLAT OF WESTFALL VILLAGE SUBDIVISION, PHASE 3 HAS BEEN SUBMITTED TO AND  
APPROVED BY THE CITY COUNCIL OF THE CITY OF BURNET TEXAS AT 8:00 AM ON THE \_\_\_\_\_ DAY OF  
COUNTY TEXAS \_\_\_\_\_ 2024. THE FINAL PLAT SHALL BE FILED IN THE CLERK AND RECORDERS OFFICE FOR BURNET

CITY CLERK  
CITY OF BURNET

STATE OF TEXAS,  
COUNTY OF BURNET  
THE ATTACHED PLAT OF WESTFALL VILLAGE SUBDIVISION, PHASE 3 HAS BEEN SUBMITTED TO AND COVERED BY  
THE PLANNING AND ZONING COMMISSION OF THE CITY OF BURNET TEXAS AT 8:00 AM ON THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_ 2024, AND IS HEREBY RECOMMENDED BY SUCH COMMISSION TO THE CITY  
COUNCIL OF BURNET TEXAS FOR THE CONSIDERATION FOR APPROVAL OF THE REDISTRIBUTION OF LANDS FOR PUBLIC  
USE AS PROVIDED AND APPROVAL OF THE PLAT.

TOWN PLANNING AND ZONING COMMISSION CHAIRMAN

STATE OF TEXAS,  
COUNTY OF BURNET  
THE ATTACHED PLAT OF WESTFALL VILLAGE SUBDIVISION, PHASE 3 HAS BEEN SUBMITTED TO THE CITY  
COUNCIL OF THE CITY OF BURNET TEXAS AT 8:00 AM ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2024, AND WAS  
APPROVED BY THE CITY COUNCIL OF THE CITY OF BURNET TEXAS AT 8:00 AM ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_  
2024. THE CITY COUNCIL OF THE CITY OF BURNET TEXAS HEREBY ACCEPTS THE REDISTRIBUTION OF LANDS FOR PUBLIC  
USE AS PROVIDED AND APPROVES THE PLAT.

CITY CLERK  
CITY OF BURNET

CITY CLERK, BURNET

FOR REVIEW ONLY  
NOT FOR CONSTRUCTION  
DATE: 1-18-2024