



Planning & Zoning Commission Agenda

Tuesday, February 14, 2023
6:00 PM

City Hall - 141 W. Renfro
Burleson, TX 76028

1. Call to Order

Invocation

Pledge of Allegiance

2. Citizen Appearances

Other than public hearings, citizens in attendance who desire to speak to the Planning and Zoning Commission may speak during this section. Each person will be allowed three (3) minutes to speak and will not be interrupted by the Commission or staff. If you would like to speak, please fill out a speaker card and give the completed card to the City staff prior to addressing the Commission. Please note that the Commission may only take action on items posted on the agenda. The Texas Open Meetings Act prohibits the Commission from deliberating or taking action on an item not listed on the agenda. Please also note that speakers who desire to speak on an item listed for public hearing will address the Commission during the public hearing and consideration of that particular agenda item.

3. Consent Agenda

All items listed below are considered to be routine by the Planning and Zoning Commission and will be enacted with one motion. There will be no separate discussion of the items unless a Commissioner or citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence. Approval of the consent agenda authorizes the Development Services Director to place each item on the City Council agenda in accordance with the Planning and Zoning Commission's recommendations.

A. Consider approval of the minutes from January 17, 2023 Planning & Zoning Commission meeting.

B. Pleasant Manor Estates; Lots A1 and A2, Block 10 (Case 22-129): Consider approval of a replat of Lots A1 and A2, Block 10 of Pleasant Manor Estates. *(Staff Presenter: JP Ducay, Senior Planner)*

C. Silo Mills Phase 1C.2; Lots 2X, Block 1; Lots 6-9, Block 2; Lots 1-8, 18X & 20-39, Block W; Lots 1-4, 5X & 6-18, Block X; Lots 1-10, Block Z; Lots 1-2, 3X & 4-5, Block CC (Case 22-163): Consider approval of a Final Plat of Lots 2X, Block 1; Lots 6-9, Block 2; Lots 1-8, 18X & 20-39, Block W; Lots 1-4, 5X & 6-18, Block X; Lots 1-10, Block Z; Lots 1-2, 3X & 4-5, Block CC of Silo Mills Phase 1C.2. *(Staff Presenter: Emilio Sanchez, Assistant Director Development Services)*

4. Public Hearing

A. **1101 CR 1021 (Case 23-004):** Hold a public hearing and consider an ordinance for a zoning change request from "A", Agriculture to "SFE" Single-family estate district. *(Staff Presenter: Lidon Pearce, Senior Planner)*

- B. 500 CR 1021 (Case 22-164):** Hold a public hearing and consider an ordinance for a zoning change request from "A", Agriculture to "SFE" Single-family estate district. *(Staff Presenter: Lidon Pearce, Senior Planner)*
- C. Original Town of Burleson; Lot 1R1, Block 13 (Case 22-162):** Consider approval of a replat of Lot 1R1, Block 13 of Original Town of Burleson. *(Staff Presenter: Lidon Pearce, Senior Planner)*
- D. Belle Oak Estates (Case 22-169):** Hold a public hearing and consider approval of an ordinance for a zoning change request from "A", Agricultural to "PD", Planned Development for a 39.696 acre site. *(Staff Presenter: JP Ducay, Senior Planner)*
- E. Belle Oak Estates; Lots 1R, 2R, 3R, 4R, 5R, 6, 7, 8R, 9R, 10, 11R, 12R and Common Lot 13, Block 1, Lots 1, 2, 3, 4R, 5R, 6R, 7R, 8R, 9, 10, 11, 12R, 13R, 14R, 15R, 16R, 17, 18, 19R and Common Lot 20, Block 2 (Case 22-155):** Consider approval of a replat containing 31 single-family residential lots and two common lots for Belle Oak Estates. *(Staff Presenter: JP Ducay, Senior Planner)*

5. Reports and Presentations

6. Community Interest Items

This is a standing item on the agenda of every regular meeting of the Planning and Zoning Commission. An "item of community interest" includes the following:

- Expression of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- Honorary recognitions of city officials, employees, or other citizens;
- Reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city official or city employee; and
- Announcements involving imminent public health and safety threats to the city.

7. Recess into Executive Session

The Planning & Zoning Commission reserves the right to convene in Executive Session(s) during this meeting pursuant to the following Sections of the Government Code of the State of Texas:

Pursuant to Sec. 551.071 consultation with its Attorney:

The Planning & Zoning Commission may conduct private consultations with its attorneys when the Planning & Zoning Commission seeks the advice of its attorney concerning any item on this agenda or a matter in which the duty of the attorney to the Planning & Zoning Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code.

8. Adjourn

Staff Contact

Tony McIlwain
Director of Development Services
817-426-9684

CERTIFICATE

I hereby certify that the above agenda was posted on this the 10th of February 2023, by 5:00 p.m., on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.

Amanda Campos
City Secretary

**ACCESSIBILITY STATEMENT**

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building, accessible from Warren St. Accessible parking spaces are also available in the Warren St. parking lot. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.



Department Memo

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Peggy Fisher, Administrative Assistant Sr.

MEETING: February 14, 2023

SUBJECT:

Approve the minutes from January 17, 2023 Regular Session of the Planning & Zoning Commission meeting.

SUMMARY:

Minutes from the January 17, 2023 Regular Session of the Planning & Zoning Commission meeting.

OPTIONS:

Approve as presented

RECOMMENDATION:

Approve the minutes from the January 17, 2023 Regular Session of the Planning & Zoning Commission meeting.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

None

FISCAL IMPACT:

None

STAFF CONTACT:

Peggy Fisher
Recording Secretary
pfisher@burlesontx.com
817-426-9611

PLANNING AND ZONING COMMISSION

January 17, 2023
MINUTES

Roll Call

Commissioners Present

Adam Russell(Chair)
David Hadley
Cobi Tittle
Bill Janusch
Clint Faram
Bobby Reading

Commissioners Absent

Michael Tune

Staff

Matt Ribitzki, City Attorney
Tony McIlwain, Director Development Services
Lidon Pearce, Planner
Michelle McCullough, Assistant Director Public Works
Travis Attanasio, City Engineer
Peggy Fisher, Administrative Assistant

REGULAR SESSION

1. Call to Order – 6:05 PM

Invocation – Clint Faram

Pledge of Allegiance

2. Citizen Appearance

None

3. Consent Agenda

- A.** Consider approval of the minutes from December 13, 2022 Planning and Zoning Regular Commission meeting. (Staff Contact: Tony McIlwain, Director Development Services).

- B. Sherwood Forest Estates addressed as 3301 FM 731 (Case 22-142): Consider approval of a final plat for Sherwood Forest Estates, Lots 1-24, Block 1. *(Staff Presenter: Lidon Pearce, Senior Planner)*
- C. Forest Meadows; Lots 29R1 and 29R2, Block 1 (Case 22-148): Consider approval of a replat of Lot 29, Block 1, of Forest Meadows. (Staff Presenter: Lidon Pearce, Senior Planner)

Motion made by Commissioner Dan Taylor and second by Commissioner Clint Faram to approve the consent agenda.

Motion passed, 6-0. Commissioner Michael Tune was absent.

4. Public Hearing

- A. **Ordinance Modification for text amendments to Appendix B, Zoning, Article I, Board of Adjustments and Appendix C, Urban Design Standards, Article IV Old Town Design Standards, Old Town Design Standards Committee:** Hold a public hearing and consider an ordinance amending the number of voting members and terms of members for the Board of Adjustments and Old Town Design Standards Committee. *(Staff Presenter: Amanda Campos, City Secretary)*

Amanda Campos presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Adam Russell opened the public hearing at 6:18 p.m.

Commission Chairman Adam Russell closed the public hearing at 6:19 p.m.

Motion made by Commissioner David Hadley and second by Commissioner Clint Faram to approve.

Motion passed, 6-0. Commissioner Michael Tune was absent.

- B. **2500 SW Hulen St (TOD Mixed-Use) (Case 22-131):** Hold a public hearing and consider an ordinance for a zoning change request from “PD” Planned Development district, to “PD” Planned Development district, to allow for commercial and multifamily residential development on 35.20 acres. *(Staff Presenter: Lidon Pearce, Senior Planner)*

Lidon Pearce presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Adam Russell opened the public hearing at 6:29 p.m.

Lina Knight, 2624 SW Hulen, addressed the commissioners on this item and spoke against it regarding flooding issues and traffic.

Clint Nolen, owner, addressed the commissioners regarding this item and said he would be available to answer questions.

Commission Chairman Adam Russell closed the public hearing at 6:36 p.m.

Motion made by Commissioner Dan Taylor and second by Commissioner Clint Faram to approve.

Motion passed, 6-0. Commissioner Michael Tune was absent.

C. 2825 S Burleson (Case 22-152): Hold a public hearing and consider an ordinance for a zoning change request from "A", Agriculture to "C" Commercial. *(Staff Presenter: Lidon Pearce, Senior Planner)*

Lidon Pearce resented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Adam Russell opened the public hearing at 6:43 p.m.

Chris Reed, 6825 CR 518, addressed the commissioners and spoke against this item.

Commission Chairman Adam Russell closed the public hearing at 6:57 p.m.

Motion made by Commissioner Dan Taylor and second by Commissioner Bill Janusch to approve.

Motion passed, 6-0.

D. 4139 S Burleson Blvd (Case 22-139): Hold a public hearing and consider a resolution approving a waiver to Section 5.5.E "Parking Lot/Site Layout Design Criteria" of the Design Standards Manual as amended by Resolution R-1175-10 for the parking lot design within 4139 S. Burleson Blvd. *(Staff Presenter: Travis Attanasio, Senior Civil Engineer)*

Travis Attanasio resented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Adam Russell opened the public hearing at 7:09 p.m.

Commission Chairman Adam Russell closed the public hearing at 7:09 p.m.

Motion made by Commissioner Bill Janusch and second by Commissioner Cobi Tittle to approve with staff recommendations.

Motion passed, 5-1. Commissioner David Hadley was opposed. Commissioner Michael Tune was absent.

5. Reports and Presentations

None

6. Community Interest Items

None

7. Executive Session

The Planning & Zoning Commission reserves the right to convene in Executive Session(s) during this meeting pursuant to the following Sections of the Government Code of the State of Texas:

- 1. Pursuant to Sec. 551.071 consultation with its Attorney: The Planning & Zoning Commission may conduct private consultations with its attorneys when the Planning & Zoning Commission seeks the advice of its attorney concerning any item on this agenda or a matter in which the duty of the attorney to the Planning & Zoning Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code.**

8. Adjourn

There being no further business Chair Adam Russell adjourned the meeting.

Time – 7:17PM

Peggy Fisher
Administrative Assistant
Recording Secretary

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: JP Ducay, Senior Planner

MEETING: February 14, 2023

SUBJECT:

Pleasant Manor Estates, Lots A1 and A2, Block 10 (Case 22-129): Consider approval of a replat of Lots A1 and A2, Block 10 of Pleasant Manor Estates. (*Staff Presenter: JP Ducay, Senior Planner*)

SUMMARY:

On September 6, 2022, an application for a Replat including 11.536 acres was submitted by Matt Powell, with DFW Geodesy (applicant) on behalf of the Burleson Independent School District (BISD). The purpose of this replat is to create Lot A2, Block 10, based upon conveyance to the City of Burleson. The application is administratively complete and meets the requirements of Appendix A – Subdivision and Development regulations.

OPTIONS:

- 1) Approve the Replat; or
- 2) Deny the Replat.

RECOMMENDATION:

Staff recommends approval of the Replat of Pleasant Manor Estates, Lots A1 and A2, Block 10, located directly east of Evelyn Lane with an approximate address of 619 Evelyn Ln, within the City of Burleson. (Case 22-129)

PRIOR ACTION/INPUT (Council, Boards, Citizens):

July 15, 1975: The Final Plat of Pleasant Manor Estates was approved by City Council.

PUBLIC NOTIFICATION:

The Texas Local Government Code (LGC) requires property owners within 200 feet of a residential Replat to receive a mailed notice post approval according to section 212.015 for the LGC.

FISCAL IMPACT:

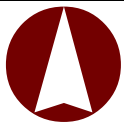
None

STAFF CONTACT:

JP Ducay
Development Services – Senior Planner
jducay@burlesontx.com
817-426-9648



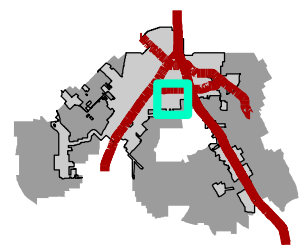
Item B.



Pleasant Manor Estates

THE CITY OF
BURLESON
TEXAS

Replat
Case 22-129



Vicinity Map

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Emilio Sanchez, Assistant Director of Development Services

MEETING: February 14, 2023

SUBJECT:

Silo Mills Phase 1C.2; Lots 2X, Block 1; Lots 6-9, Block 2; Lots 1-8, 18X & 20-39, Block W; Lots 1-4, 5X & 6-18, Block X; Lots 1-10, Block Z; Lots 1-2, 3X & 4-5, Block CC (Case 22-163): Consider approval of a Final Plat of Lots 2X, Block 1; Lots 6-9, Block 2; Lots 1-8, 18X & 20-39, Block W; Lots 1-4, 5X & 6-18, Block X; Lots 1-10, Block Z; Lots 1-2, 3X & 4-5, Block CC of Silo Mills Phase 1C.2. *(Staff Presenter: Emilio Sanchez, Assistant Director Development Services)*

SUMMARY:

On December 12, 2022, an application for a Final Plat, including 22.900 acres, was submitted by Tom Dayton with Johnson Volk Consulting Inc. (Applicant) on behalf of the Bret Pedigo with Silo Mills Investment V, LLC. (Owner). The Silo Mills Phase 1C.2, includes 63 residential lots and 4 open space lots on 22.900 acres with 7 of the residential lots and portions of 2 of the open space lots located in the City of Burleson ETJ, and the remaining 56 residential lots and the remainder of the 4 open space lots located in the City of Cleburne ETJ. The subject property is located in the City of Cleburne and the City of Burleson's Extraterritorial Jurisdiction (ETJ) so there is no zoning associated with the site.

On July 19, 2021, a revised Preliminary Plat for Silo Mills was approved by City Council (Case 21-057). The approved Silo Mills Preliminary Plat included the area that contains the Silo Mills Phase 1C.2 Final Plat area. The Final Plat (Case-22-163) is in compliance with the approved revised Preliminary Plat.

The application is administratively complete and meets the requirements of Appendix A – Subdivision and Development regulations.

OPTIONS:

- 1) Approve the Final Plat
- 2) Deny the Final Plat

RECOMMENDATION:

Recommend approval of the Final Plat for Silo Mills Phase 1C.2, containing Lots 2X, Block 1; Lots 6-9, Block 2; Lots 1-8, 18X & 20-39, Block W; Lots 1-4, 5X & 6-18, Block X; Lots 1-10, Block Z; Lots 1-2, 3X & 4-5, Block CC, located at the southeast intersection of FM 917 and CR 1017, with an approximate address of 3817 W FM 917, in the City of Burleson and the City of Cleburne ETJ. (Case 22-163)

PRIOR ACTION/INPUT (Council, Boards, Citizens):

February 2015 - Pre-development and Professional Services Agreement with Joshua Land Farm LLC approved by City Council

February 2018 - Development Agreement with Joshua Land Farm LLC and the Joshua Farms Municipal Management District No. 2 approved by City Council

November 2018 – Resolution consenting to the addition of approximately 180 acres in the ETJ to Joshua Farms Municipal Management District No. 2 approved by City Council.

September 2019 – Preliminary Plat and the Development Standards were incorporated into the Development Agreement, which was approved by City Council.

May 2021– A Silo Mills overview presentation was provided to Planning and Zoning Commission and City Council by staff.

June 22, 2021– The revised Preliminary Plat for Silo Mills was unanimously recommended for approval by the Planning and Zoning Commission.

July 19, 2021- The revised Preliminary Plat for Silo Mills was approved by City Council.

November 15, 2022- Final Plat for Silo Mills Phase 1C.1 was approved by Planning and Zoning Commission.

FISCAL IMPACT:

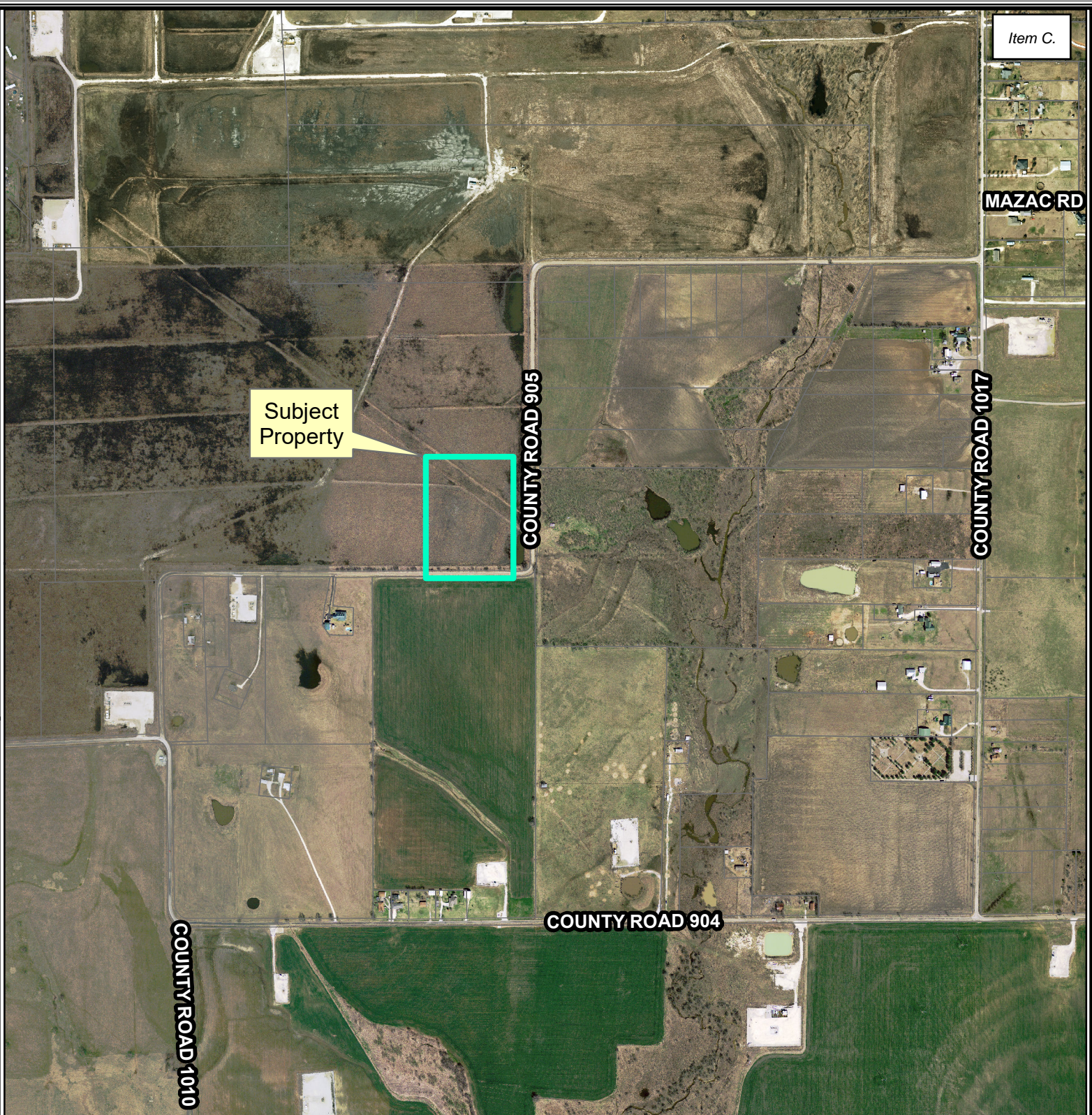
None

PUBLIC NOTIFICATION:

No public input required for this request

STAFF CONTACT:

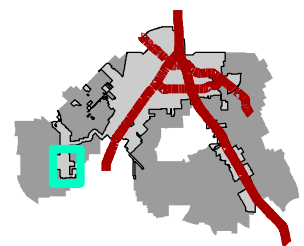
Emilio Sanchez
Assistant Director of Development Services
esanchez@burlesontx.com
817-426-9686



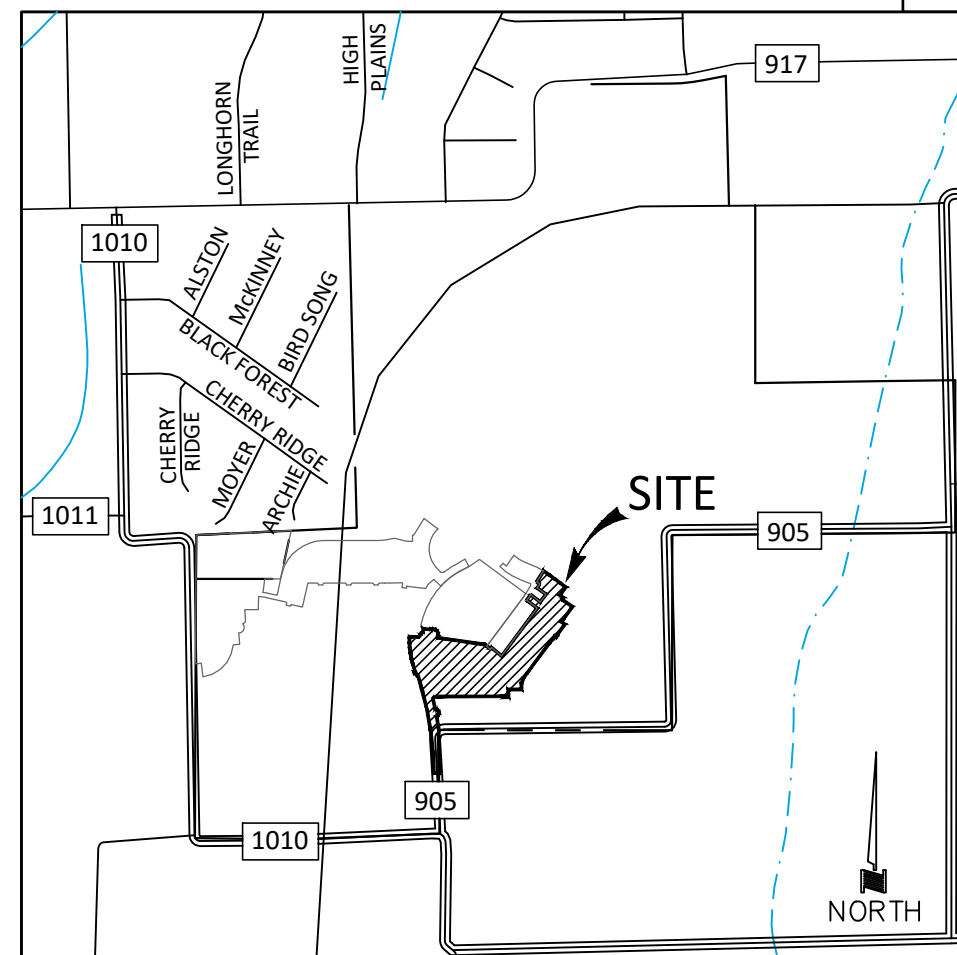
THE CITY OF
BURLESON
TEXAS

Silo Mills Phase 1C.2

Lots 2X, Block 1; Lots 6-9,
Block 2; Lots 1-8, 18X & 20-39,
Block W; Lots 1-4, 5X & 6-18,
Block X; Lots 1-10, Block Z;
Lots 1-2, 3X & 4-5, Block CC
Case 22-163



Vicinity Map

VICINITY MAP
NOT TO SCALE

LEGEND

- Point of Curvature or Tangency on Center Line
- 1/2" iron rod w/ yellow plastic cap stamped "JVC" set (unless otherwise noted)
- 1/2" iron rod found w/ yellow plastic cap stamped "JVC" (unless otherwise noted)

| | |
|--|---------------------|
| AC | Acre |
| BL | Building Line |
| C1 | Curve No. |
| CL | Center Line |
| <CM> | Control Monument |
| DE | Drainage Easement |
| Esmt | Easement |
| L1 | Line No. |
| C1 | Curve No. |
| SF | Square Feet |
| UE | Utility Easement |
| WLE | Water Line Easement |
| C.R.J.C.T. = County Records of Johnson County, Texas | |

NOTES:

- PROPERTY IS LOCATED IN THE CITY OF CLEBURNE E.T.J., AND THE CITY OF BURLESON E.T.J., JOHNSON COUNTY, TEXAS.
- PROPERTY SHALL BE SERVED BY THE JOHNSON COUNTY SUD FOR WATER AND THE JOSHUA FARMS MMD NO. 2 FOR SEWER.
- ALL STREET INTERSECTIONS ARE 90° (±5°).
- BASES OF BEARING IS THE TEXAS COORDINATE SYSTEM NORTH CENTRAL ZONE 4202, NAD 83.
- ON-SITE DRAINAGE SHALL BE CONVEYED BY DRAINAGE SWALES BETWEEN LOTS. SWALES SHALL BE A MINIMUM OF EIGHT (8) INCHES FROM BUILDING FOUNDATION TO FLOWLINE OF ADJACENT SWALE AND SHALL BE DIRECTED TOWARDS PUBLIC STREETS OR DRAINAGE EASEMENTS.
- ALL CORNERS ARE 1/2 INCH IRON RODS WITH PLASTIC CAPS STAMPED "JVC" UNLESS OTHERWISE NOTED.
- DRIVEWAY APPROACH LOCATIONS ON CORNER LOTS SHALL BE LOCATED TO APPROXIMATELY LINE UP WITH THE SIDE OF THE HOUSE OR GARAGE THAT IS THE FURTHEST FROM THE INTERSECTION.
- BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.
- THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THIS ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
- JOHNSON COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION.
- JOHNSON COUNTY WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.
- ON-SITE SEWAGE FACILITY PERFORMANCE CANNOT BE GUARANTEED EVEN THOUGH ALL PROVISIONS OF THE RULES OF JOHNSON COUNTY, TEXAS FOR PRIVATE SEWAGE FACILITIES ARE COMPLIED WITH.
- INSPECTION AND/OR ACCEPTANCE OF A PRIVATE SEWAGE FACILITY BY THE JOHNSON COUNTY PUBLIC WORKS DEPARTMENT SHALL INDICATE ONLY THAT THE FACILITY MEETS MINIMUM REQUIREMENTS AND DOES NOT RELIEVE THE OWNER OF THE PROPERTY FROM COMPLYING WITH COUNTY, STATE AND FEDERAL REGULATIONS. PRIVATE SEWAGE FACILITIES, ALTHOUGH APPROVED AS MEETING MINIMUM STANDARDS, MUST BE UPGRADED BY THE OWNER AT THE OWNER'S EXPENSE IF NORMAL OPERATION OF THE FACILITY RESULTS IN OBJECTIONABLE ODORS, IF UNSANITARY CONDITIONS ARE CREATED, OR IF THE FACILITY WHEN USED DOES NOT COMPLY WITH GOVERNMENTAL REGULATIONS.
- A PROPERLY DESIGNED AND CONSTRUCTED PRIVATE SEWAGE FACILITY SYSTEM, IN SUITABLE SOIL, CAN MALFUNCTION IF THE AMOUNT OF WATER IT IS REQUIRED TO DISPOSE OF IS NOT CONTROLLED. IT WILL BE THE RESPONSIBILITY OF THE LOT OWNER TO MAINTAIN AND OPERATE THE PRIVATE SEWAGE FACILITY IN A SATISFACTORY MANNER.
- ANY PUBLIC UTILITY, INCLUDING JOHNSON COUNTY, SHALL HAVE THE RIGHT TO MOVE AND KEEP MOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION OR MAINTENANCE, OR EFFICACY OF ITS RESPECTIVE SYSTEMS IN ANY OF THE EASEMENTS SHOWN ON THE PLAT, AND ANY PUBLIC UTILITY, INCLUDING JOHNSON COUNTY, SHALL HAVE THE RIGHT AT ALL TIMES OF INGRESS AND EGRESS TO AND FROM SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, INSPECTION, PATROLLING, MAINTAINING AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE.
- ACCORDING TO FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 48251C01751 DATED 12/4/12, THE SUBJECT PROPERTY IS NOT WITHIN ANY FLOOD ZONES.
- THE RIGHT-OF-WAY DEDICATION IS GRANTED IN FEE SIMPLE TO JOHNSON COUNTY FOR USE AS STORM WATER, PUBLIC UTILITY, PEDESTRIAN OR OTHER PUBLIC PURPOSES.

| Line | Length | Direction |
|------|--------|---------------|
| L1 | 43.42 | S81° 58' 44"W |
| L2 | 45.00 | S74° 03' 35"W |
| L3 | 1.43 | N15° 56' 25"W |
| L4 | 50.00 | N15° 56' 25"W |
| L5 | 1.43 | N15° 56' 25"W |
| L6 | 45.00 | N74° 03' 37"E |
| L7 | 34.84 | N15° 56' 25"W |
| L8 | 45.00 | S87° 55' 50"E |
| L9 | 50.00 | N6° 53' 15"E |
| L10 | 71.45 | S83° 01' 52"E |
| L11 | 8.00 | S58° 21' 48"E |
| L12 | 55.51 | S45° 21' 29"E |
| L13 | 10.31 | N41° 05' 00"E |
| L14 | 23.40 | N30° 38' 15"E |
| L15 | 102.50 | N36° 42' 36"E |
| L16 | 50.00 | N36° 42' 36"E |
| L17 | 78.94 | S54° 55' 14"E |
| L18 | 50.00 | S53° 17' 24"E |
| L19 | 17.30 | S36° 42' 36"W |
| L20 | 47.17 | S36° 32' 30"W |

| Line | Length | Direction |
|------|--------|---------------|
| L21 | 47.55 | S53° 27' 30"E |
| L22 | 12.22 | N53° 27' 30"W |
| L23 | 66.78 | S36° 10' 06"W |
| L24 | 56.00 | S18° 51' 28"W |
| L25 | 66.09 | S0° 37' 01"W |
| L26 | 85.00 | S0° 11' 16"E |
| L27 | 50.00 | S89° 48' 44"W |
| L28 | 10.00 | N0° 11' 16"W |
| L29 | 46.85 | S76° 08' 03"W |
| L30 | 50.00 | S7° 14' 10"E |
| L31 | 1.60 | N89° 55' 29"W |
| L32 | 88.03 | S83° 01' 52"E |
| L33 | 21.53 | N15° 57' 48"W |
| L34 | 15.95 | N53° 04' 32"W |
| L35 | 16.84 | N36° 55' 28"E |
| L36 | 14.14 | S45° 11' 16"E |
| L37 | 15.64 | S51° 15' 05"W |
| L38 | 14.16 | N81° 37' 33"E |
| L39 | 14.12 | N8° 22' 27"W |

| Curve # | Length | Radius | Delta | Chord Length | Chord Bearing |
|---------|--------|---------|------------|--------------|---------------|
| C1 | 483.74 | 3500.00 | 007°55'08" | 483.36 | N11° 58' 51"W |
| C2 | 47.12 | 30.00 | 090°00'00" | 42.43 | N60° 56' 25"W |
| C3 | 47.12 | 30.00 | 090°00'00" | 42.43 | N29° 03' 35"E |
| C4 | 282.90 | 900.00 | 018°00'35" | 281.73 | N06° 56' 07"W |
| C5 | 15.52 | 855.00 | 001°02'24" | 15.52 | N02° 35' 22"E |
| C6 | 49.14 | 30.00 | 093°51'34" | 43.83 | N50° 02' 21"E |
| C7 | 12.18 | 25.00 | 027°54'20" | 12.06 | N83° 00' 58"E |
| C8 | 151.79 | 61.00 | 142°34'23" | 115.55 | S39° 39' 00"E |
| C9 | 14.44 | 274.77 | 003°00'36" | 14.43 | S43° 08' 19"W |
| C10 | 16.41 | 25.40 | 037°00'17" | 16.12 | N23° 21' 03"E |
| C11 | 51.98 | 525.00 | 005°40'22" | 51.96 | N33° 28' 26"E |
| C12 | 42.51 | 525.00 | 004°38'22" | 42.50 | N55° 36' 35"W |
| C13 | 5.52 | 475.00 | 000°39'57" | 5.52 | S36° 22' 38"W |
| C14 | 10.46 | 325.00 | 001°50'41" | 10.46 | S52° 28' 15"E |
| C15 | 8.80 | 275.84 | 001°49'38" | 8.80 | N52° 27' 48"W |
| C16 | 115.32 | 3545.00 | 001°51'50" | 115.32 | S12° 56' 02"E |

| Curve # | Length | Radius | Delta | Chord Length | Chord Bearing |
|---------|--------|---------|------------|--------------|---------------|
| C17 | 45.12 | 30.00 | 086°10'26" | 40.99 | S55° 05' 20"E |
| C18 | 6.97 | 425.00 | 000°56'23" | 6.97 | N82° 17' 39"E |
| C19 | 48.69 | 30.00 | 092°59'59" | 43.52 | S36° 15' 51"W |
| C20 | 137.24 | 3545.00 | 002°13'05" | 137.24 | S09° 07' 36"E |
| C21 | 75.70 | 50.00 | 086°44'45" | 68.67 | N39° 39' 30"W |
| C22 | 103.03 | 300.00 | 019°40'41" | 102.53 | S06° 07' 27"E |
| C26 | 32.61 | 300.00 | 006°13'41" | 32.59 | N47° 45' 21"E |
| C30 | 193.20 | 300.00 | 036°53'52" | 189.88 | S18° 15' 40"W |
| C31 | 71.90 | 500.00 | 008°14'19" | 71.83 | N32° 35' 27"E |
| C32 | 71.90 | 500.00 | 008°14'19" | 71.83 | S32° 35' 27"W |

Owner/Applicant:
Silo Mills Investment V, LLC
202 Clariden Ranch Road
Southlake, Texas 76092
Phone: -214-577-1431
Contact: Bret Pedigo

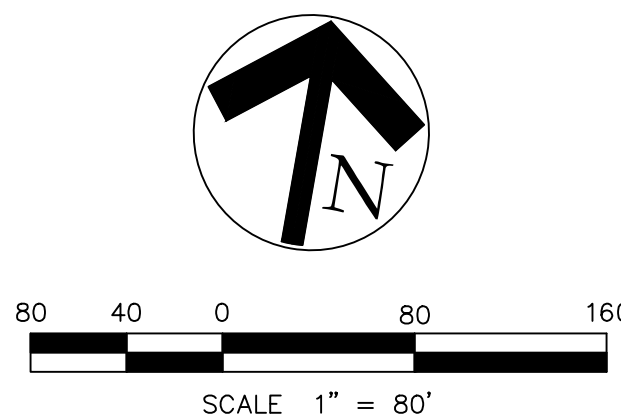
Engineer/Surveyor:
Johnson Volk Consulting, Inc.
704 Central Parkway East, Suite 1200
Plano, Texas 75074
Phone: 972-201-3102
Ryan.Renolds@johnsonvolk.com
TBPELS FIRM NO. 10194033

FINAL PLAT
SILO MILLS
PHASE 1C.2

LOT 2X, BLOCK 1; LOTS 6-9, BLOCK 2
LOTS 1-8, 18X & 20-39, BLOCK W
LOTS 1-4, 5X & 6-18, BLOCK X
LOTS 1-10, BLOCK Z
LOTS 1-2, 3X & 4-5, BLOCK CC
63 SINGLE FAMILY LOTS &
4 OPEN SPACE LOTS
22.900 ACRES
OUT OF THE
A.J. TUCKER SURVEY, ABSTRACT NO. 833
CITY OF CLEBURNE ETJ,
CITY OF BURLESON ETJ,
JOHNSON COUNTY, TEXAS
PROPOSED ZONING: PD

28 December 2022
SHEET 1 OF 2

JOHNSON VOLK
CONSULTING
TBPELS Engineering Firm No. 11962 / Land Surveying Firm No. 10194033
704 Central Parkway East | Suite 1200 | Plano, TX 75074 | 972.201.3100



Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Lidon Pearce, Senior Planner

MEETING: February 14, 2023

SUBJECT:

1101 CR 1021 (Case 23-004): Hold a public hearing and consider an ordinance for a zoning change request from "A", Agriculture to "SFE" Single-family estate district. (*Staff Presenter: Lidon Pearce, Senior Planner*)

SUMMARY:

On January 9, 2023, an application for a zoning change request was submitted by the City of Burleson for a zoning change request of approximately 2.063 acres for single-family estate district.

Development Overview:

The property is currently zoned "A", Agriculture, and is being replatted under a separate development case (Case 22-168) as part of Capital Improvement projects (CIP) related to Lakewood Drive. A result of that CIP project and resulting required platting is that the new proposed lot will be less than the minimum 3 acres required in the "A", Agricultural zoning district. The applicant has requested to rezone the property to "SFE", Single-family estate district to allow the property to be sold and developed for a residential use. "SFE" zoning requires a minimum lot size of one acre.

Zoning and Land Use Table

| | Zoning | Use |
|--------------|-------------------------|-------------------------------|
| Subject Site | A, Agriculture | Undeveloped |
| North | ETJ | Residential |
| East | PD, Planned Development | Residential, Undeveloped |
| South | PD, Planned Development | Burlington Santa Fe rail road |
| West | ETJ | Residential |

This site is designated in the Comprehensive Plan as Neighborhoods.

This land use category is intended for predominantly traditional single-family residential developments, but does allow for a mix of densities, lot sizes, housing stock, and styles as appropriate.

Staff supports a zoning change request to “SFE” Single-family estate district based on the adjacent uses and lot sizes, as well as conformance with the Comprehensive Plan.

Engineering:

Development of the land will require platting and engineering reviews.

OPTIONS:

- 1) Recommend approval of an ordinance for a zoning change request to “SFE” Single-family estate district; or
- 2) Recommend approval of an ordinance for a zoning change request to an alternative zoning district; or
- 3) Recommend denial of the ordinance for a zoning change request;

RECOMMENDATION:

Recommend to City Council approval of an ordinance for a zoning change to “SFE” Single-family estate district (Case 23-004).

FISCAL IMPACT:

None.

STAFF CONTACT:

Lidon Pearce
Senior Planner
lpearce@burlesontx.com
817-426-9649

ZC – 1101 CR 1021

Location:

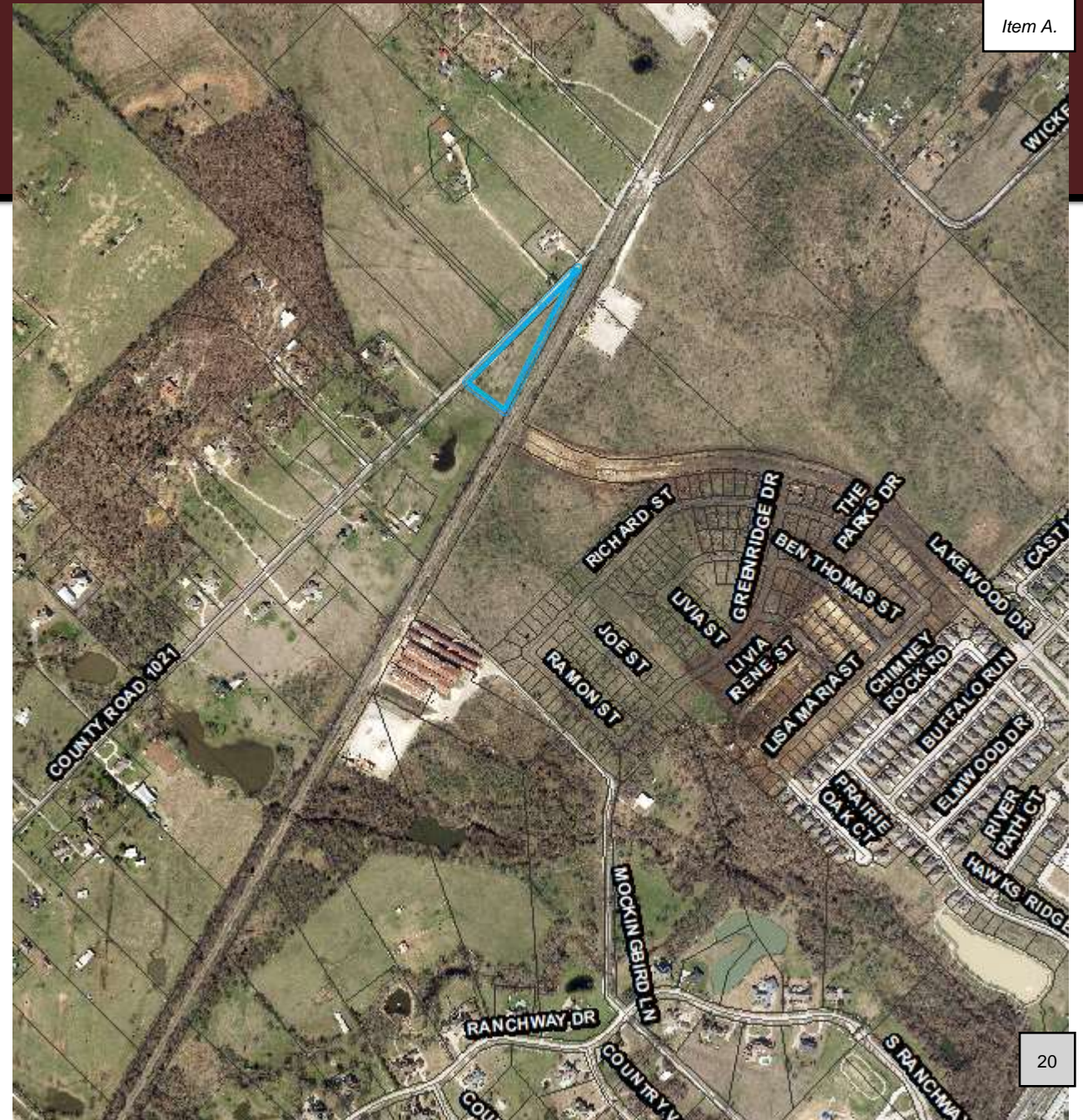
- 1101 CR 1021
- 2.063 acres

Applicant:

City of Burleson

Item for approval:

Zoning Change from "A"
Agriculture to "SFE" Single-
family estate district (Case23-
004)



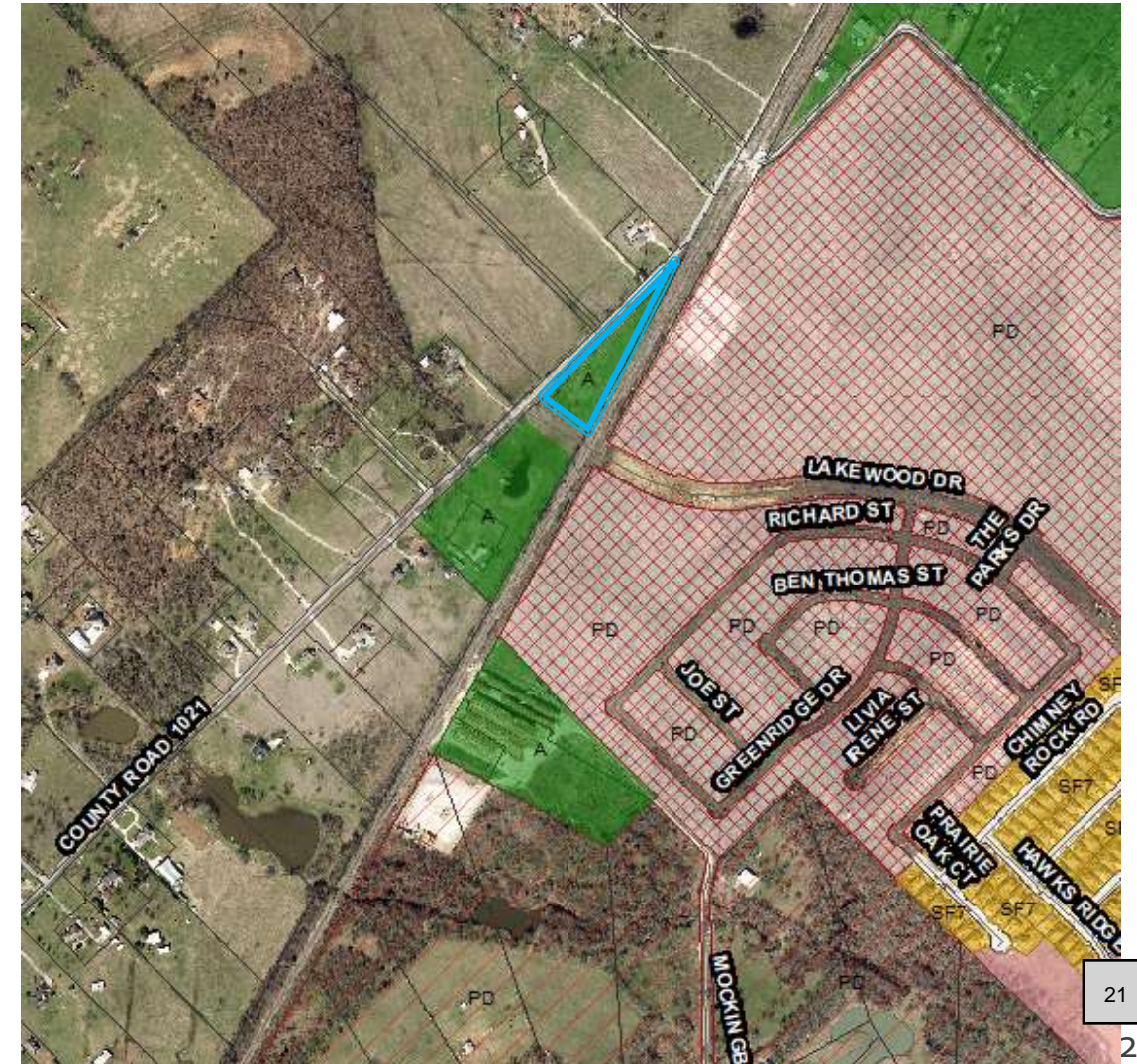
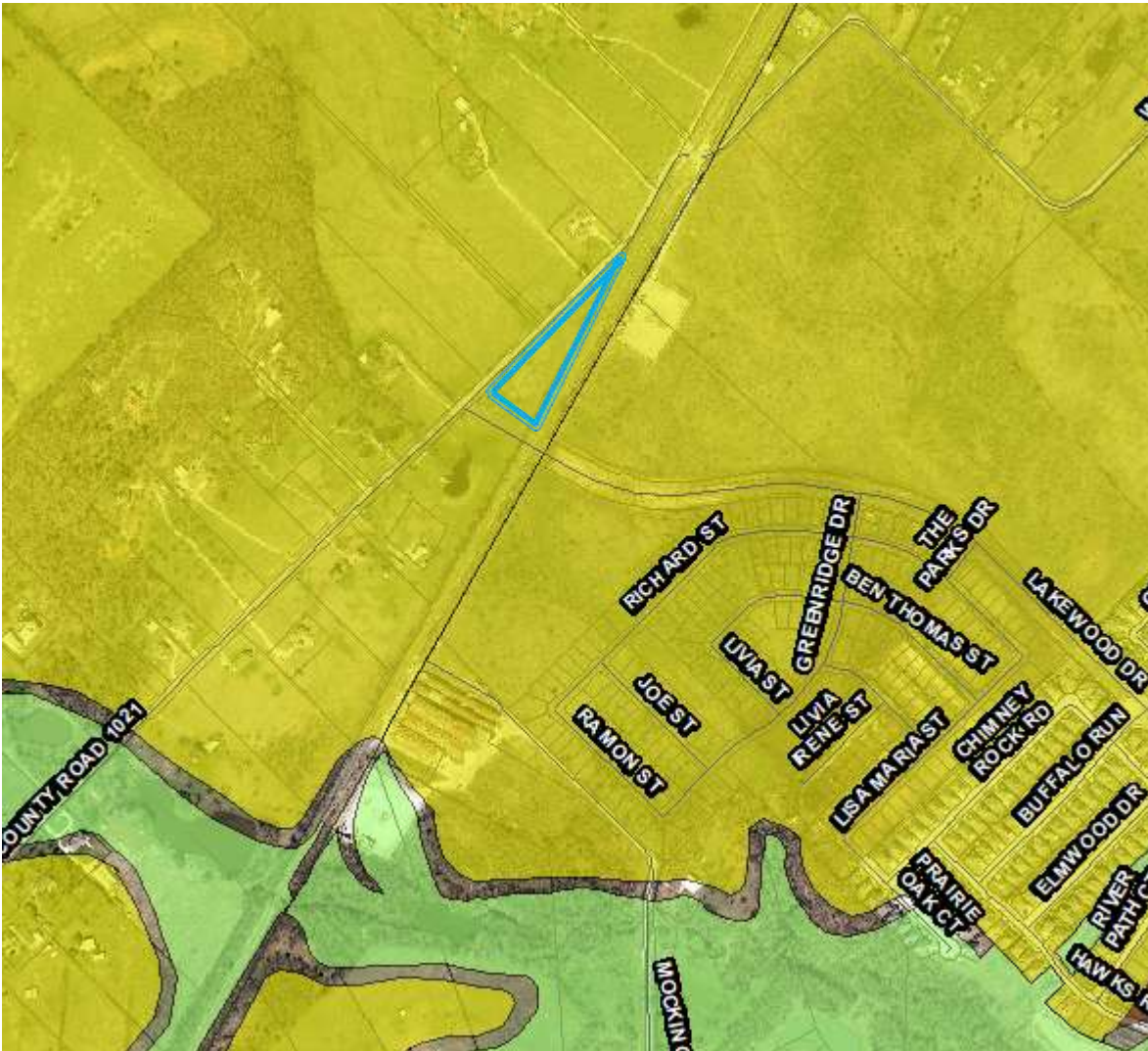
Comprehensive Plan

Neighborhoods

Zoning

A, Agriculture

Item A.



ZC – 1101 CR 1021

Item A.

Rezone is necessary due to the platting required with the Lakewood Drive capital improvement project. The newly created lot, which has been bisected by Lakewood Drive, is less than the 3 acre minimum required in the "A", Agriculture district.



- Public notices were mailed to property owners (based on current JCAD records) within 300 feet of subject property
- Published in newspaper
- Signs Posted on the property



ZC – 1101 CR 1021

Item A.

Staff's Recommendation

- Staff recommends approval of an ordinance for the zoning change request to “SFE” Single-family estate district
- Conforms with the Comprehensive Plan
- Compatible with adjacent uses and lot sizes



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 2.063 ACRES OF LAND SITUATED IN THE H.G. CATLETT SURVEY ABSTRACTS NO. 178 AND NO.182, DESCRIBED IN DOCUMENT 2017-17710, REAL PROPERTY RECORDS, JOHNSON COUNTY, TEXAS (R.P.R.J.C.T.), FROM AGRICULTURE (A) TO SINGLE-FAMILY ESTATE DISTRICT (SFE); 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 **City of Burleson (property owner)** on **January 9, 2023**, under **Case Number 23-004**, 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 **7 to 0** to recommend to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classification of **Agriculture (A)** to **Single-Family Estate District (SFE)**; 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 **Agriculture (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

The Zoning Ordinance and Map is hereby amended insofar as it relates to certain land described as **2.063 acres of land situated in the H.G. Catlett survey abstracts No. 178 and No.182, described in Document 2017-17710, Real Property Records, Johnson County, Texas (R.P.R.J.C.T.), as illustrated in Exhibit A, labeled as Lot 1AR, Block 1**, by changing the zoning of said property from **Agriculture (A)** to **Single-family estate district (SFE)**.

Section 2.

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 3.

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 4.

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 5.

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 6.

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 7.

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 8.

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____.

Chris Fletcher, Mayor

City of Burleson, Texas

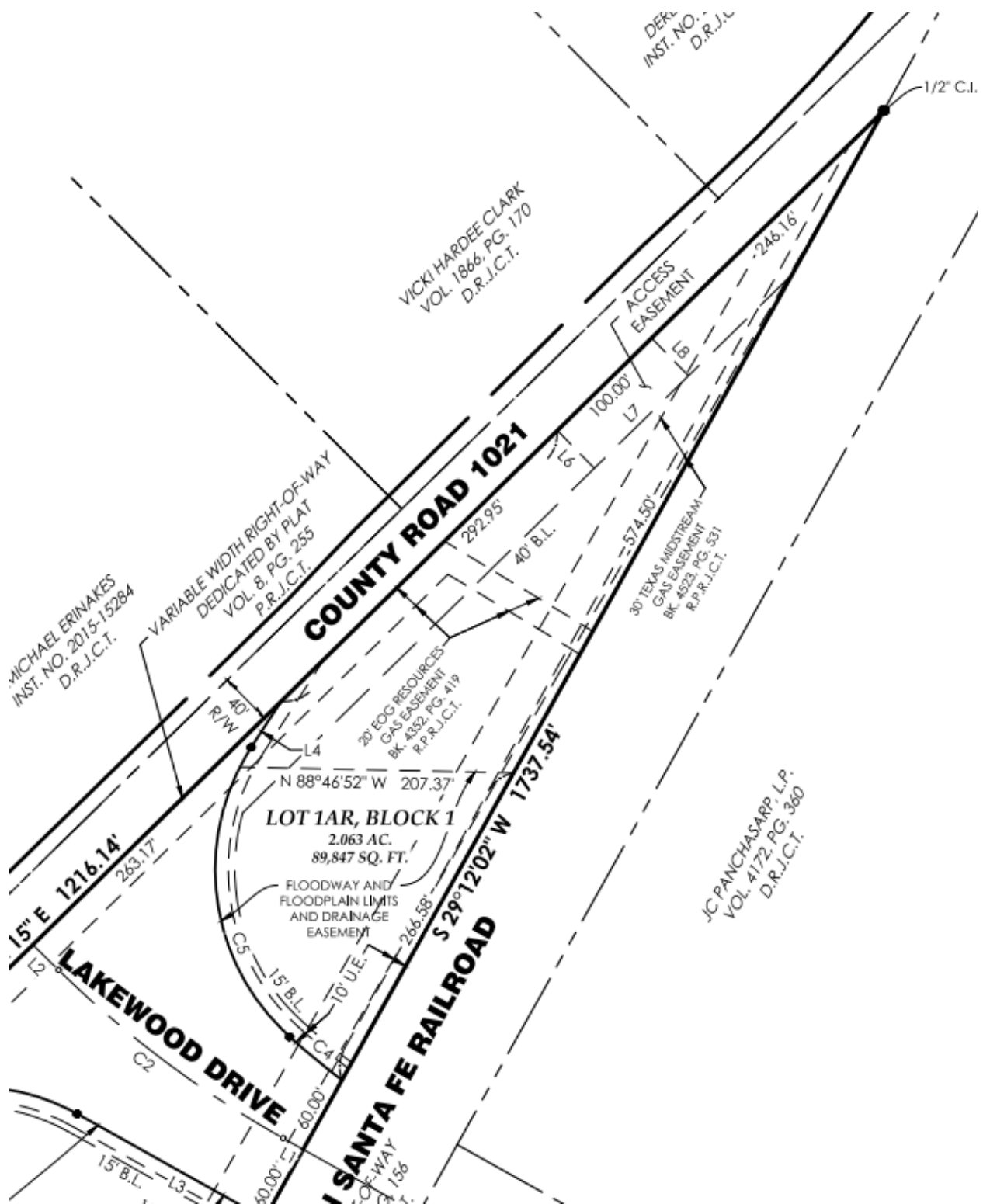
ATTEST:

APPROVED AS TO FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

EXHIBIT “A”



Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Lidon Pearce, Senior Planner

MEETING: February 14, 2023

SUBJECT:

500 CR 1021 (Case 22-164): Hold a public hearing and consider an ordinance for a zoning change request from "A", Agriculture to "SFE" Single-family estate district. (*Staff Presenter: Lidon Pearce, Senior Planner*)

SUMMARY:

On December 12, 2022, an application for a zoning change request was submitted by Carter Mahanay (owner) for a zoning change request of approximately 2.9 acres for single-family estate district.

Development Overview:

The property is currently zoned A, Agriculture and has several unoccupied structures that will be removed when the property is redeveloped. A metal shop/garage (non-commercial) will remain on the property as an accessory, non-dwelling structure. The applicant has requested to rezone the property to SFE, Single-family estate district, to develop the property for a residential use. SFE zoning requires a minimum lot size of one acre.

Zoning and Land Use Table

| | Zoning | Use |
|--------------|-------------------------|-------------------------------|
| Subject Site | A, Agriculture | Vacant residential structures |
| North | A, Agriculture | Residential |
| East | A, Agriculture | Residential |
| South | PD, Planned Development | Residential |
| West | A, Agriculture | Residential |

This site is designated in the Comprehensive Plan as Neighborhoods.

This land use category is intended for predominantly traditional single-family residential developments, but does allow for a mix of densities, lot sizes, housing stock, and styles as appropriate.

Staff supports a zoning change request to “SFE” Single-family estate district based on the adjacent uses and lot sizes, as well as conformance with the Comprehensive Plan.

Engineering:

Development of the land will require platting and engineering reviews.

OPTIONS:

- 1) Recommend approval of an ordinance for a zoning change request to “SFE” Single-family estate district; or
- 2) Recommend approval of an ordinance for a zoning change request to an alternative zoning district; or
- 3) Recommend denial of the ordinance for a zoning change request;

RECOMMENDATION:

Recommend to City Council approval of an ordinance for a zoning change to “SFE” Single-family estate district (Case 22-164).

FISCAL IMPACT:

None.

STAFF CONTACT:

Lidon Pearce
Senior Planner
lpearce@burlesontx.com
817-426-9649

ZC – 500 CR 1021

Item B.

Location:

- 500 CR 1021
- 2.9 acres

Applicant:

Carter Mahanay
Property Owner

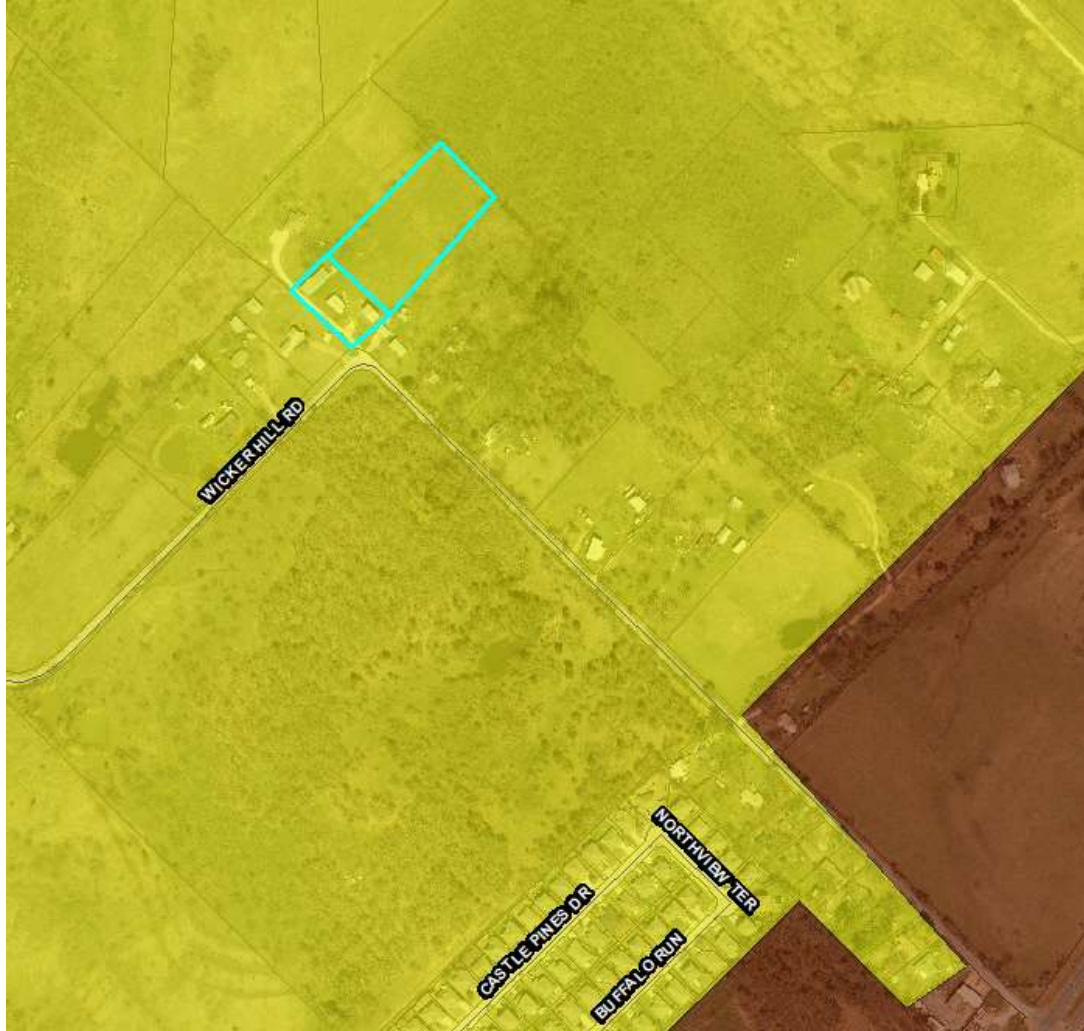
Item for approval:

Zoning Change from "A"
Agriculture to "SFE" Single-
family estate district (Case22-
164)



Comprehensive Plan

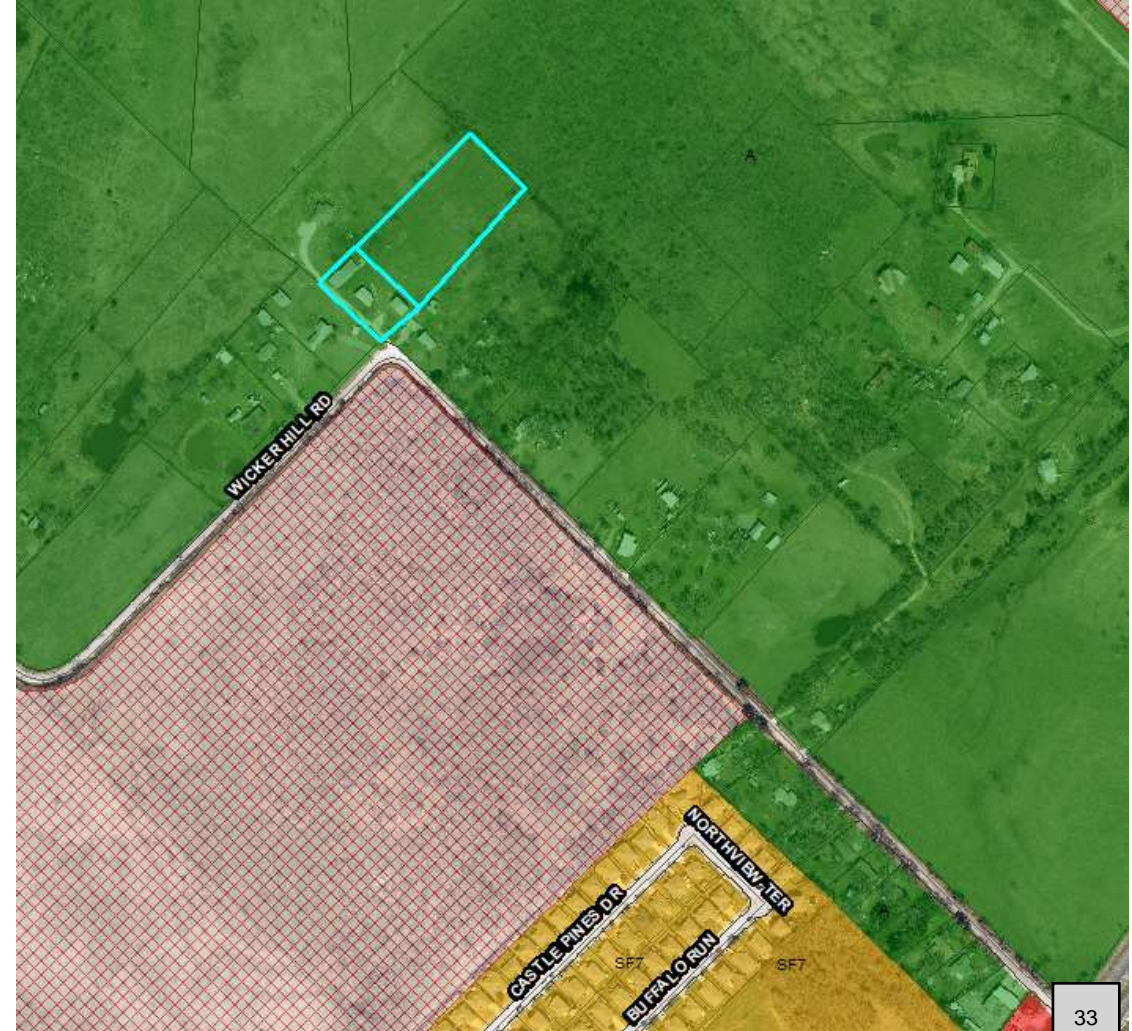
Neighborhoods



Zoning

A, Agriculture

Item B.



ZC – 500 CR 1021

Item B.

Applicant intends to remove the existing dwelling structure and barn on the site. Existing workshop will remain when the site is redeveloped with a single-family dwelling. New dwelling will conform to current adopted building codes and permitting process.



ZC – 500 CR 1021

Public Hearing notices were mailed to property owners within 300 feet of subject property

Published in newspaper

Signs Posted on the property



Legend

- 300 ft. Buffer
- Subject Property
- Properties within 300 ft.
- Burleson

ZC – 500 CR 1021

Item B.

Staff's Recommendation

- Staff recommends approval of an ordinance for the zoning change request to “SFE” Single-family estate district
- Conformance with the Comprehensive Plan; and
- Compatibility with adjacent uses and lot sizes.



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 2.9 ACRES OF LAND LOCATED IN THE H.G. CATLETT SURVEY ABST NO. 179, DEED RECORDS, JOHNSON COUNTY, TEXAS (D.R.J.C.T.), FROM AGRICULTURE (A) TO SINGLE-FAMILY ESTATE DISTRICT (SFE); 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 **Carter Mahanay (property owner)** on **December 12, 2022**, under **Case Number 22-164**, 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 **7 to 0** to recommend to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classification of **Agriculture (A)** to **Single-Family Estate District (SFE)**; 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 **Agriculture (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

The Zoning Ordinance and Map is hereby amended insofar as it relates to certain land described as **2.9 acres of land located in the H.G. Catlett Survey, Abstract No. 179, deed records, Johnson County, Texas (D.R.J.C.T.)**, as shown on the attached Exhibit A incorporated herein by reference, by changing the zoning of said property from **Agriculture (A)** to **Single-Family Estate District (SFE)**.

Section 2.

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 3.

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 4.

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 5.

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 6.

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 7.

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 8.

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_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

EXHIBIT "A"

BEING A 2.9 ACRE TRACT OF LAND SITUATED OUT OF THE H. G. CATLETT SURVEY, ABSTRACT No. 179, JOHNSON COUNTY, TEXAS AND BEING DESCRIBED IN DEED TO DERON M. MEEHAN RECORDED IN VOLUME 4246, PAGE 11, DEED RECORDS, JOHNSON COUNTY, TEXAS AND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING AT A 5/8" IRON ROD FOUND IN THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD No. 1021 AND BEING THE MOST SOUTHERLY CORNER OF A INGRESS & EGRESS EASEMENT RECORDED IN VOLUME 4246, PAGE 11, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE NORTH 48 DEGREES 14 MINUTES 22 SECONDS WEST (PER DEED NORTH 48 DEGREES 23 MINUTES 00 SECONDS WEST) DEPARTING FROM THE NORTHERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD No. 1021, PASSING A 1/2" IRON ROD WITH A RECER-FOX CAP AT 16.33 FEET, IN TOTAL A DISTANCE OF 247.65 FEET (PER DEED A DISTANCE OF 247.30 FEET) TO A 1/2" IRON ROD FOUND FOR A POINT FOR THE MOST WESTERLY CORNER OF SAID INGRESS & EGRESS EASEMENT. SAID IRON ROD BEING IN THE NORTHEASTERLY COMMON LINE DEED TO BRIAN S. SMITHSON RECORDED IN INSTRUMENT No. 2020-7585, DEED RECORDS, JOHNSON COUNTY, TEXAS AND BEING THE MOST SOUTHERLY CORNER DEED TO GEORGE WILLIAMS ETUX NITA WILLIAMS RECORDED IN VOLUME 3502, PAGE 257, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE NORTH 45 DEGREES 54 MINUTES 51 SECONDS EAST (PER DEED NORTH 45 DEGREES 36 MINUTES 00 SECONDS EAST) ALONG THE COMMON LINE OF SAID INGRESS & EGRESS EASEMENT AND SAID WILLIAMS TRACT A DISTANCE OF 18.63 FEET (PER DEED A DISTANCE OF 18.00 FEET) TO AN "X" CUT IN CONCRETE AND BEING THE **POINT OF BEGINNING** AND THE MOST WESTERLY CORNER OF HEREIN DESCRIBED TRACT DESCRIBED IN DEED TO DERON M. MEEHAN RECORDED IN VOLUME 4246, PAGE 11, DEED RECORDS, JOHNSON COUNTY, TEXAS. SAID "X" CUT BEING THE MOST NORTHERLY CORNER OF SAID INGRESS & EGRESS EASEMENT;

THENCE NORTH 45 DEGREES 54 MINUTES 51 SECONDS EAST (PER DEED NORTH 45 DEGREES 52 MINUTES 55 SECONDS EAST) ALONG THE COMMON LINE OF SAID MEEHAN TRACT AND SAID WILLIAMS TRACT A DISTANCE OF 559.22 FEET (PER DEED A DISTANCE OF 556.89 FEET) TO A 3" METAL FENCE POST FOR THE MOST NORTHERLY CORNER OF HEREIN DESCRIBED TRACT. SAID FENCE POST BEING THE MOST EASTERLY CORNER DEED TO SAID WILLIAMS TRACT AND BEING IN THE COMMON LINE DEED TO ROBERT N. BRANSOM RECORDED IN INSTRUMENT No. 2011-16721, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE SOUTH 45 DEGREES 12 MINUTES 53 SECONDS EAST (PER DEED SOUTH 46 DEGREES 09 MINUTES 59 SECONDS EAST) ALONG THE COMMON LINE OF SAID MEEHAN TRACT AND SAID BRANSOM TRACT A DISTANCE OF 206.73 FEET (PER DEED A DISTANCE OF 206.42 FEET) TO A 3" METAL FENCE POST FOR THE MOST EASTERLY CORNER OF HEREIN DESCRIBED TRACT. SAID

FENCE POST BEING THE MOST NORTHERLY CORNER DEED TO JULIA D. BULLARD RECORDED IN VOLUME 1545, PAGE 832, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE SOUTH 41 DEGREES 49 MINUTES 35 SECONDS WEST (PER DEED SOUTH 41 DEGREES 45 MINUTES 00 SECONDS WEST) ALONG THE COMMON LINE OF SAID MEEHAN TRACT AND SAID BULLARD TRACT A DISTANCE OF 547.73 FEET TO A 5/8" CAPPED IRON ROD SET FOR THE MOST SOUTHERLY CORNER OF HEREIN DESCRIBED TRACT. SAID CAPPED IRON ROD SET BEING THE MOST WESTERLY CORNER DEED TO SAID BULLARD TRACT AND BEING THE MOST EASTERLY CORNER OF SAID INGRESS & EGRESS EASEMENT;

THENCE NORTH 48 DEGREES 14 MINUTES 22 SECONDS WEST (PER DEED NORTH 48 DEGREES 23 MINUTES 00 SECONDS WEST) ALONG THE COMMON LINE OF SAID MEEHAN TRACT AND SAID INGRESS & EGRESS EASEMENT A DISTANCE OF 246.32 FEET (PER DEED A DISTANCE OF 246.09 FEET) TO THE **POINT OF BEGINNING** AND CONTAINING A TOTAL OF 125,250.95 SQUARE FEET OR 2.9 ACRES MORE OR LESS.

BEING A 0.1 ACRE TRACT OF LAND SITUATED OUT OF THE H. G. CATLETT SURVEY, ABSTRACT No. 179, JOHNSON COUNTY, TEXAS AND BEING DESCRIBED IN DEED TO DERON M. MEEHAN RECORDED IN VOLUME 4246, PAGE 11, DEED RECORDS, JOHNSON COUNTY, TEXAS AND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 5/8" IRON ROD FOUND IN THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD No. 1021 AND BEING THE MOST SOUTHERLY CORNER OF A INGRESS & EGRESS EASEMENT RECORDED IN VOLUME 4246, PAGE 11, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE NORTH 48 DEGREES 14 MINUTES 22 SECONDS WEST (PER DEED NORTH 48 DEGREES 23 MINUTES 00 SECONDS WEST) DEPARTING FROM THE NORTHERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD No. 1021, PASSING A 1/2" IRON ROD WITH A RECER-FOX CAP AT 16.33 FEET, IN TOTAL A DISTANCE OF 247.65 FEET (PER DEED A DISTANCE OF 247.30 FEET) TO A 1/2" IRON ROD FOUND FOR A POINT FOR THE MOST WESTERLY CORNER OF SAID INGRESS & EGRESS EASEMENT. SAID IRON ROD BEING IN THE NORTHEASTERLY COMMON LINE DEED TO BRIAN S. SMITHSON RECORDED IN INSTRUMENT No. 2020-7585, DEED RECORDS, JOHNSON COUNTY, TEXAS AND BEING THE MOST SOUTHERLY CORNER DEED TO GEORGE WILLIAMS ETUX NITA WILLIAMS RECORDED IN VOLUME 3502, PAGE 257, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE NORTH 45 DEGREES 54 MINUTES 51 SECONDS EAST (PER DEED NORTH 45 DEGREES 36 MINUTES 00 SECONDS EAST) ALONG THE COMMON LINE OF SAID INGRESS & EGRESS EASEMENT AND SAID WILLIAMS TRACT A DISTANCE OF 18.63 FEET (PER DEED A DISTANCE OF 18.00 FEET) TO AN "X" CUT IN CONCRETE AND BEING THE MOST NORTHERLY CORNER OF HEREIN DESCRIBED TRACT. SAID "X" CUT BEING THE MOST WESTERLY CORNER DEED TO DERON M. MEEHAN RECORDED IN VOLUME 4246, PAGE 11, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE SOUTH 48 DEGREES 02 MINUTES 01 SECONDS EAST (PER DEED SOUTH 48 DEGREES 23 MINUTES 00 SECONDS EAST) ALONG THE COMMON LINE OF SAID INGRESS & EGREES EASEMENT AND SAID MEEHAN TRACT A DSITANCE OF 246.32 FEET (PER DEED A DISTANCE OF 246.09 FEET) TO A 5/8" CAPPED IRON ROD SET FOR THE MOST EASTERLY CORNER OF HEREIN DESCRIBED TRACT. SAID CAPPED IRON ROD SET BEING IN THE MOST NORTHWESTERLY COMMON LINE DEED TO JULIA D. BULLARD RECORDED IN VOLUME 1545, PAGE 832, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE SOUTH 41 DEGREES 49 MINUTES 35 SECONDS WEST (PER DEED SOUTH 41 DEGREES 45 MINUTES 00 SECONDS WEST) ALONG THE COMMON LINE OF SAID EASEMENT AND SAID BULLARD TRACT A DISATNCE OF 17.69 FEET (PER DEED A DISTANCE OF 18.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A TOTAL OF 4,479.95 SQUARE FEET OR 0.1 ACRES MORE OR LESS.

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: Lidon Pearce, Senior Planner

MEETING: February 14, 2023

SUBJECT:

Original Town of Burleson; Lot 1R1, Block 13 (Case 22-162): Consider approval of a replat of Lot 1R1, Block 13 of Original Town of Burleson. *(Staff Presenter: Lidon Pearce, Senior Planner)*

SUMMARY:

On October 31, 2022, an application for a replat, including 1.105 acres, was submitted by Matt Powell representing DFW Geodesy on behalf of Rocky Bransom. The replat is combining several individual lots for the Ellison on the Plaza project, as well as dedicating public access and utility easements required for the development. A separate ordinance will be going forward to City Council for abandonment of the alleys. This plat will not be filed by staff until after approval of that ordinance and the CSO number has been placed on the face of the plat (mylars).

The replat is administratively complete and meets the requirements of Appendix A – Subdivision and Development Regulations.

ENGINEERING:

Roadways

This replat does not trigger the requirement for a Traffic Impact Analysis (TIA).

Utilities

The property is served by the City of Burleson.

OPTIONS:

- 1) Approve the replat with a condition that the CSO ordinance number for the alley abandonment will be placed on the face of the plat (mylar) prior to filing of the plat by City staff;

- 2) Approve the replat; or
- 3) Deny the replat

RECOMMENDATION:

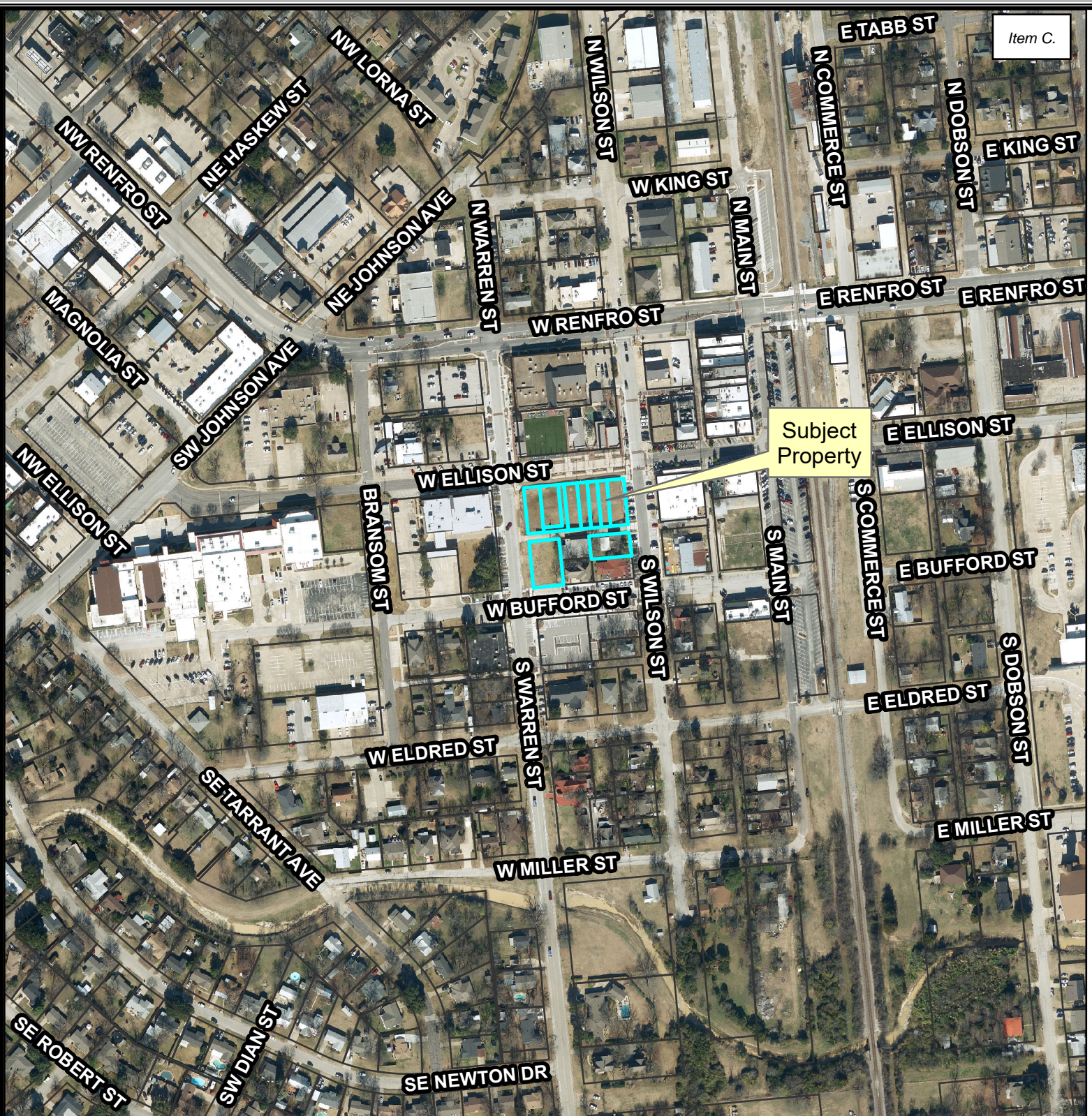
Approve a replat for Original Town of Burleson; Lots 1R1, Block 13 (Case 22-162) with a condition that the CSO ordinance number for the alley abandonment will be placed on the face of the plat (mylar) prior to filing of the plat by City staff.

FISCAL IMPACT:

None.

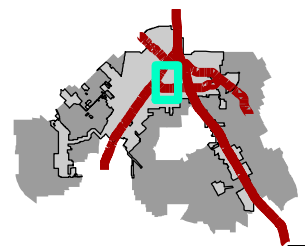
STAFF CONTACT:

Lidon Pearce
Senior Planner
lpearce@burlesontx.com
817-426-9649



THE CITY OF
BURLESON
TEXAS

Original Town of Burleson
Lot 1R1, Block 13
Replat
Case 22-162



Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: JP Ducay, Senior Planner

MEETING: February 14, 2023

SUBJECT:

Belle Oak Estates (Case 22-169): Hold a public hearing and consider approval of an ordinance for a zoning change request from “A”, Agricultural to “PD”, Planned Development for a 39.696 acre site.

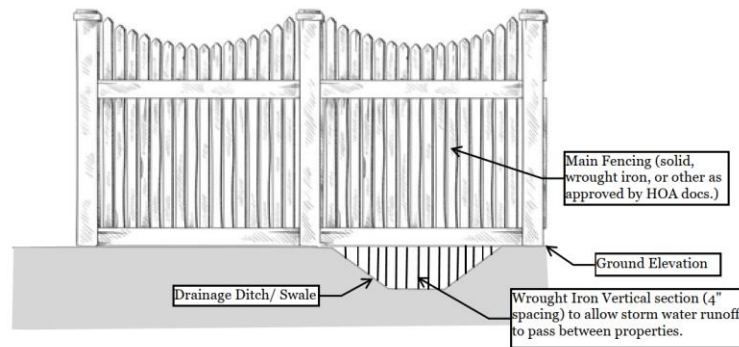
SUMMARY:

On December 27, 2022, an application was submitted by David Reaves (applicant) with Grant Engineering on behalf of William Ware (owner), to rezone approximately 39.696 acres from “A”, Agricultural to “PD”, Planned Development. The Belle Oak Estates development was originally located in the City of Burleson’s Extraterritorial Jurisdiction (ETJ) when it was first platted and subdivided into one acre residential lots in 2006. The Belle Oak Estates development was eventually annexed into the City of Burleson in August of 2016 by ordinance #447-06-2016. According to the zoning ordinance, newly annexed territory is zoned as “A”, Agricultural district, unless the City Council, at the time of annexation, designates other zoning categories for the area. During the annexation process, an alternative zoning district was never proposed and the development remained “A”, Agricultural.

On November 14, 2022, a replat for Belle Oak Estates was submitted. During the review by city staff, it was determined that the default “A”, Agricultural zoning designation was inappropriate as the previously platted one acre lots of the Belle Oak Estates development were in direct violation of the 3 acre minimum lot size for agriculturally zoned lots. The applicant was instructed to submit a zoning change request to rezone the subject site to a more conducive zoning district in compliance with the development.

The applicant has proposed to rezone the subject site to PD, Planned Development with a base zoning of “SFE”, Single family estate district, to include the following conditions:

- Minimum Lot Width: (60’)
- Any fences built across a drainage easement must be either open to allow the flow of surface water, or be constructed in a manner that allows water to flow freely underneath it. Acceptable options are depicted below:



A draft ordinance for this zoning change request is included in this packet.

Planning Analysis

The City's Imagine Burleson 2030 Midpoint Update Comprehensive Plan designates this site as **Neighborhoods** and **Community Commercial**. The Neighborhood designation is generally described as "predominantly residential with traditional development patterns but should allow for a mix of densities, lot sizes, housing types, and styles. The primary uses in this category include single-family residences, including a range of densities from large, agricultural lots to suburban neighborhood lots." The Community Commercial designation is generally "intended to provide suitable areas for the development of light to medium intensity commercial uses to support surrounding urban development."

The proposed zoning of a Planned Development containing single-family residential is in complete compliance with the Neighborhoods comprehensive plan designation. The Community Commercial designation does not necessarily conform to the requested PD, however, the Belle Oak Estates development was originally subdivided as residential lots and annexed into the City of Burleson prior to the implementation of the Imagine Burleson Comprehensive Plan 2020 Midpoint Update.



| | Zoning | Use |
|--------------|-----------------|-------------------------|
| Subject Site | A, Agricultural | Subdivided, Undeveloped |
| North | ETJ | Developed, Residential |
| East | ETJ | Developed, Residential |
| South | ETJ | Developed, Residential |
| West | ETJ | Developed, Residential |

OPTIONS:

- 1) Recommend approval of the zoning change request; or
- 2) Recommend approval of the zoning request with modifications; or
- 3) Recommend denial of the zoning change request.

RECOMMENDATION:

Staff recommends approval of the zoning change request from “A”, Agricultural to “PD”, Planned Development for Belle Oak Estates as proposed by the applicant.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

June 20, 2016: City Council motion to **approve** the request to annex over 1,000 acres of land including Belle Oak Estates was approved by a vote of 7-0.

January 26, 2006: The Final Plat of Belle Oak Estates was approved by the City of Burleson.

PUBLIC NOTIFICATION:

Notice was mailed to surrounding property owners within 300 feet of the acreage proposed for this zone change and published in the newspaper in accordance with City ordinances and State law. In addition, a sign was placed on the subject property. At this time staff has not received any formal opposition regarding this case.

Fiscal IMPACT:

None

STAFF CONTACT:

JP Ducay
Senior Planner, Development Services
jducay@burlesontx.com
817-426-9648

Belle Oak Estates ZC

Item D.

Location:

- 39.696 acres
- CR 1020 / CR 914

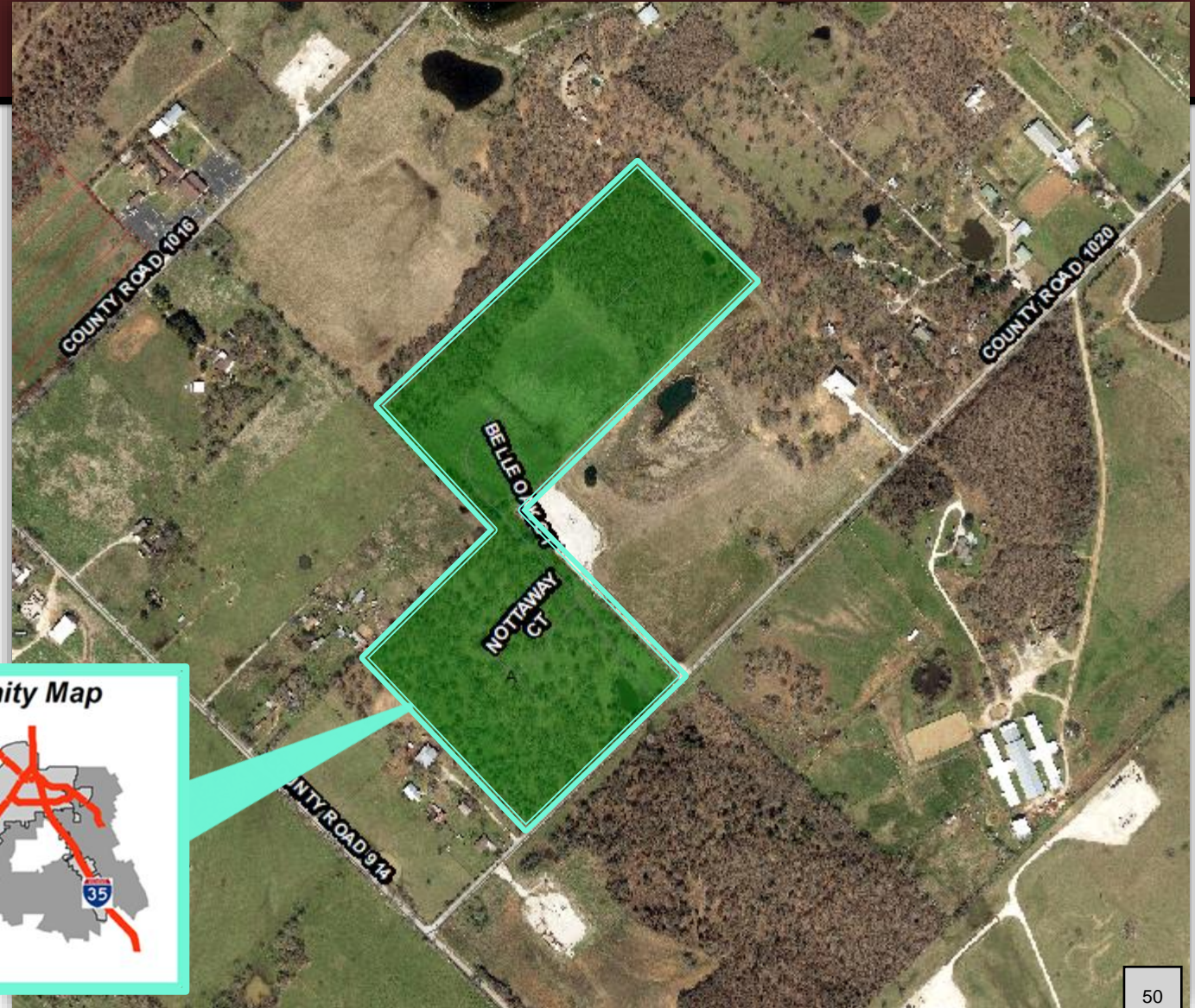
Applicant/Owner:

David Reaves – Applicant

William Ware – Owner

Item for approval:

Zoning Change (Case 22-169)



Belle Oak Estates ZC

Item D.

Zoning Information

2006: Belle Oak Estates was located in the City of Burleson's ETJ when it was first platted and subdivided into one-acre residential lots.

2016: Belle Oak Estates was annexed into the City of Burleson by ordinance #447-06-2016.

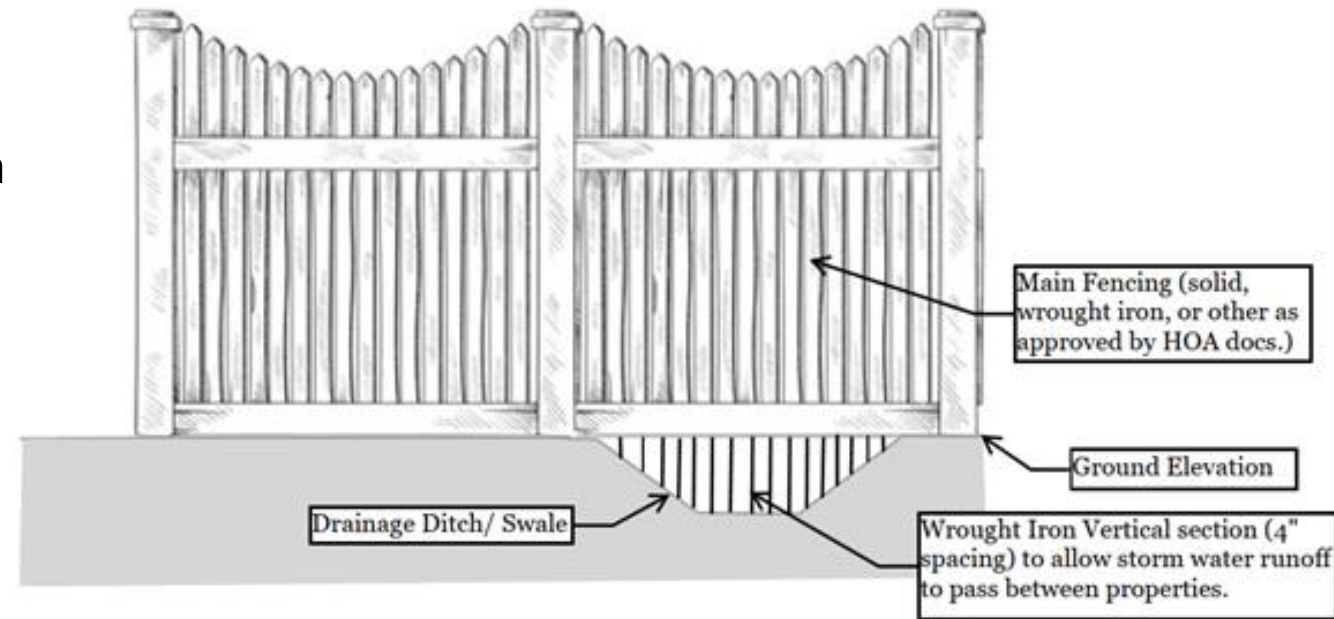
- Per the zoning ordinance, newly annexed territory is zoned as "A", Agricultural district (default zoning).
- An alternative zoning district was never proposed, and the development remained "A", Agriculture.

2022: Belle Oak Estates replat is submitted. It is determined that the default "A", Agricultural zoning is unsuitable as the platted one acre lots are in direct violation with the 3-acre minimum lot size requirement for Agriculturally zoned land.



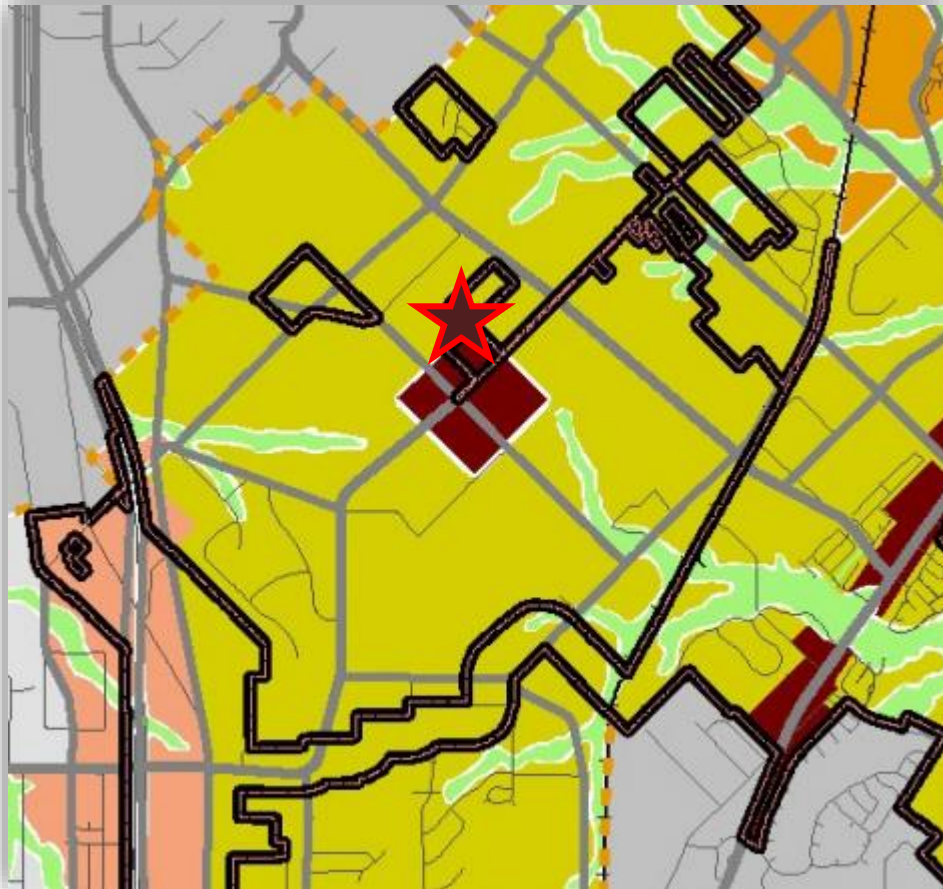
Zoning Request

- Applicant is requesting a zone change to PD, Planned Development.
- Base Zoning of "SFE", Single-Family Estate with the following conditions:
 - Minimum Lot Width: Sixty Feet (60')
 - Any fences built across a drainage easement must be either open to allow the flow of surface water or be constructed in a manner that allows water to flow freely underneath it. Acceptable options are depicted below:



Comprehensive Plan

Neighborhoods / Community Commercial



Current Zoning

Agricultural



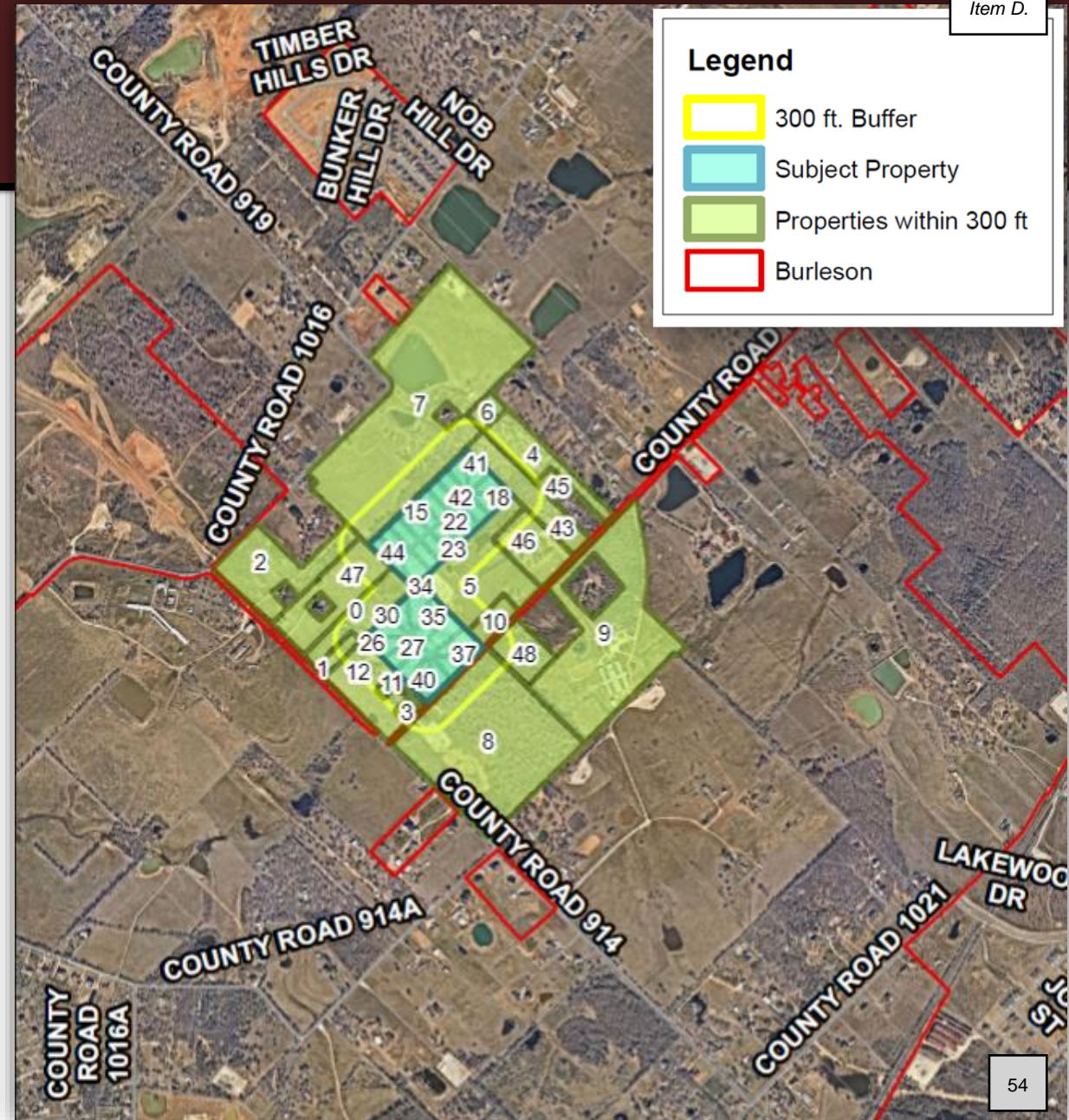
Item D.

Belle Oak Estates ZC

Public Hearing Notice

- Public notices mailed to property owners within 300 feet of subject property.
- Published in newspaper.
- Sign posted on the property.

Staff has not received any inquiries regarding this request.



Belle Oak Estates ZC

Item D.

Staff's Recommendation

Staff recommends approval of the zoning change request from "A", Agricultural to "PD", Planned Development for Belle Oak Estates as proposed by the applicant.

- Staff supports the Planned Development as it is in conformance with the vision of Comprehensive Plan and brings the Belle Oak Development into zoning compliance.



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 39.696 ACRES OF LAND LOCATED IN THE H.G. CATLETT SURVEY NO. 12, ABSTRACT NO. 185, JOHNSON COUNTY, TEXAS, FROM AGRICULTURE (A) TO PLANNED DEVELOPMENT (PD), 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 David Reaves (applicant) on December 27, 2022, under Case Number 22-169, 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 7 to 0 to recommend to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classification of Agriculture (A) to Planned Development (PD); 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 Agriculture (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

The Zoning Ordinance and Map is hereby amended insofar as it relates to certain land described as 39.696 acres of land located in the H.G. Catlett Survey No. 12, Abstract No. 185, Johnson County, Texas (D.R.J.C.T.), as shown on the attached Exhibit A incorporated herein by reference, by changing the zoning of said property from Agriculture (A) to Planned Development (PD).

Section 2.

The Planned Development district, as defined by Exhibit A, shall be subject to the following conditions:

1. GENERAL

This property is subject to all the regulations contained in the City of Burleson development codes, except where amended by this Ordinance

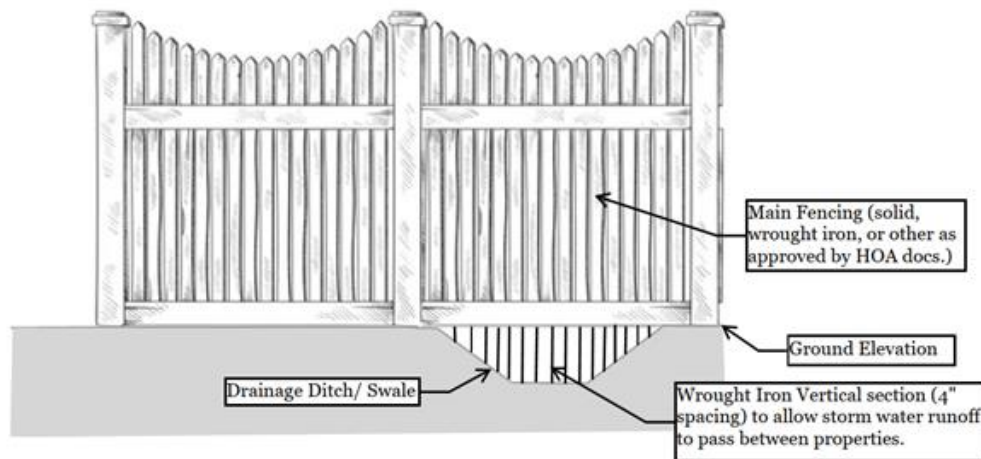
2. PERMITTED LAND USES

Except as otherwise provided herein, land uses permitted within this PD district shown on Exhibit A are limited to the Single-Family Estate (SFE) zoning district as defined by the City of Burleson Zoning Ordinance.

3. DEVELOPMENT STANDARDS:

Except as otherwise provided herein, the acting development standards applied to this PD district shown on Exhibit A shall include the Single-Family Estate (SFE) development area regulations and all the regulations contained in the City of Burleson development codes, except where amended by this Ordinance:

- Minimum Lot Width: Sixty Feet (60')
- Any fences built across a drainage easement must be either open to allow the flow of surface water, or be constructed in a manner that allows water to flow freely underneath it. Acceptable options are depicted below:



Section 3.

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 4.

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 5.

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 6.

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 7.

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 8.

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_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

Exhibit A – Legal Description

A 39.696 acre tract of land out of the H. G. Catlett Survey No. 12, Abstract No. 185, Johnson County, Texas, being a portion of those two tracts conveyed by B. S. DeBusk, and wife, Phyllis DeBusk to C. B. Green by Warranty Deed recorded in Volume 419, Page 53, Deed Records of Johnson County, Texas, and a portion of that tract conveyed to C. B. Green by Warranty Deed recorded in Volume 463, Page 210 of said Deed Records, said combined tract being more particularly described by metes and bounds as follows;

BEGINNING at a set 1/2" steel rod at the most northerly corner of Lot 1, Block 1, Monroe Addition, an addition in Johnson County, Texas, according to the plat recorded in Volume 9, Page 321, Drawer C, Plat Records, Johnson County, Texas, said point being in the westerly northwest line of said Green tract in Volume 419, Page 53 of said Deed Records;

THENCE North 45°04'57" East along the westerly northwest line of said Green tract, and along a fence, 746.92 feet to a found 1/2" steel rod;

THENCE North 45°13'15" West along a fence, 662.10 feet to a fence corner post;

THENCE North 46°03'11" East along a fence, 1443.25 feet to a found 1/2" steel rod;

THENCE South 44°31'00" East along a fence, 676.05 feet to a found 1/2" steel rod;

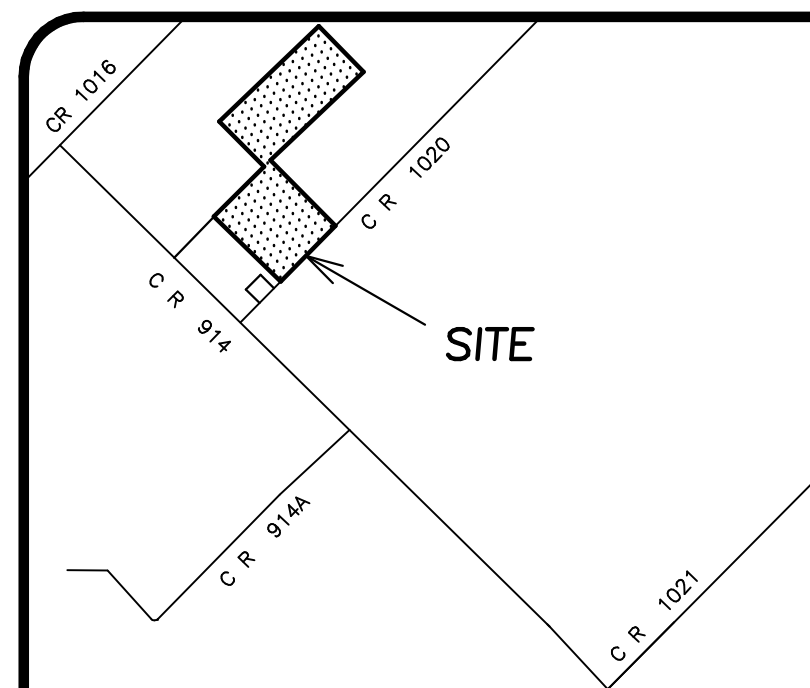
THENCE South 46°42'10" West along a fence, 1347.47 feet to a found 1/2" steel rod;

THENCE South 45°00'00" East along the southerly northeast line of said Green Tract, 922.30 feet to point;

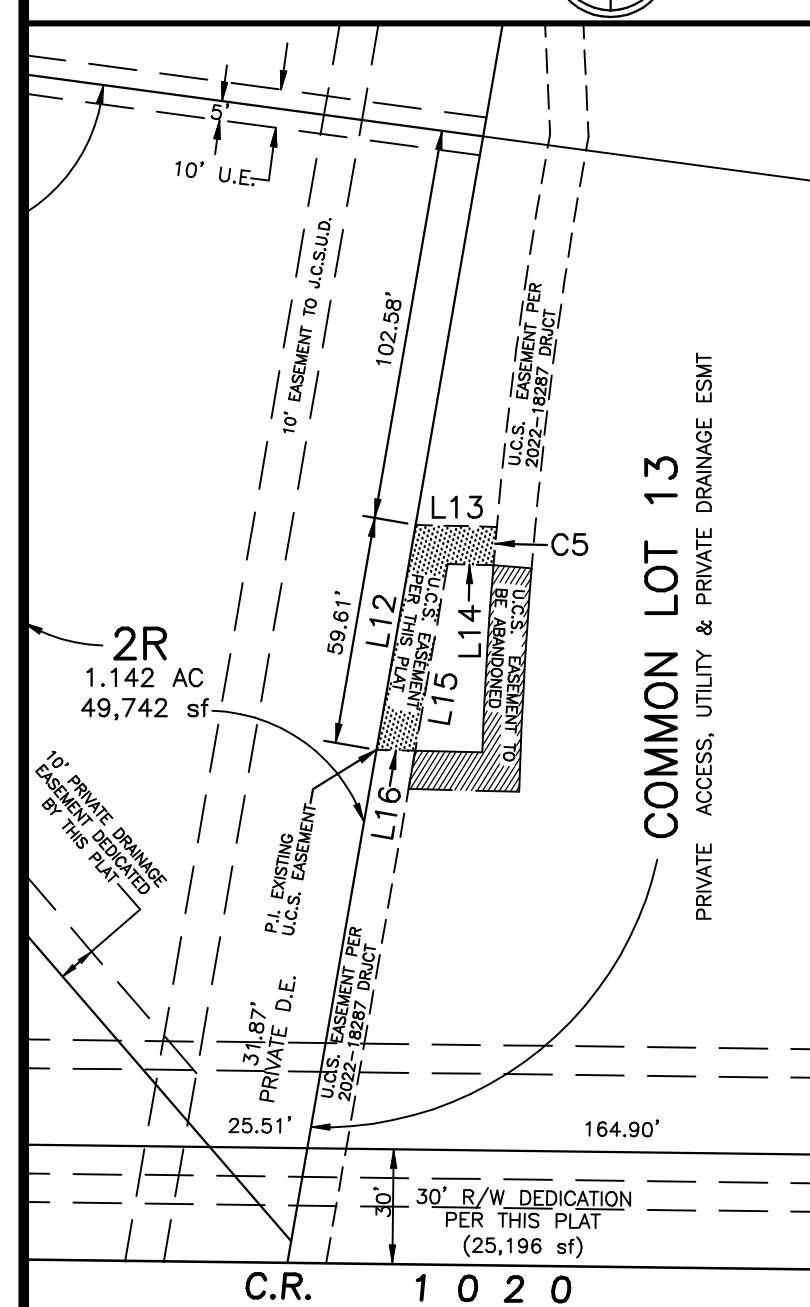
THENCE South 45°42'43" West, 839.79 feet to a point in the southwesterly line of said Green Tract and the northeasterly line of said Lot 1, Block 1, Monroe Addition;

THENCE North 44°31'59" West along a fence, 540.00 feet to a found 1/2" steel rod at an angle point in the northeasterly line of said Lot 1, Block 1;

THENCE North 44°55'03" West, continuing along said northeasterly line of Lot 1, Block 1 and along a fence, 373.37 feet to the Point of Beginning and containing 39.696 acres (1,729,163 square feet) of land, more or less.



LOCATION MAP
SCALE: 1" = 2000'



EASEMENT DETAIL "A"
SCALE: 1" = 20'

RIGHT-OF-WAY DEDICATION NOTE

THE RIGHT-OF-WAY DEDICATION IS GRANTED IN FEE SIMPLE TO THE CITY OF BURLESON FOR USE AS STORM WATER, PUBLIC UTILITY, PEDESTRIAN, OR OTHER PUBLIC PURPOSES.

| PREFIX DIRECTION | STREET NAME | STREET-TYPE/ SUFFIX | ROW DEDICATION (ACRES) |
|------------------|-------------|---------------------|------------------------|
| — | C.R. 1020 | | 0.578 |

DETENTION POND AND PRIVATE DRAINAGE EASEMENT MAINTENANCE:

THE CITY OF BURLESON IS NOT RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, OR USE OF ANY STORM WATER STORAGE FACILITY AND ASSOCIATED DRAINAGE EASEMENT, HEREINAFTER REFERRED TO AS "IMPROVEMENTS," TO BE DEVELOPED AND CONSTRUCTED BY DEVELOPER OR SUCCESSORS. DEVELOPER WILL INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF BURLESON, ITS OFFICERS, EMPLOYEES AND AGENTS FROM ANY DIRECT OR INDIRECT LOSS, DAMAGE, LIABILITY OR EXPENSE AND ATTORNEYS' FEES FOR ANY NEGLIGENCE WHATSOEVER, ARISING OUT OF THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE CONDITION OR USE OF THE "IMPROVEMENTS," INCLUDING ANY NON-PERFORMANCE OF THE FOREGOING. DEVELOPER WILL REQUIRE ANY SUCCESSOR IN INTEREST TO ACCEPT FULL RESPONSIBILITY AND LIABILITY FOR THE "IMPROVEMENTS." ALL OF THE ABOVE SHALL BE COVENANTS RUNNING WITH THE LAND. IT IS EXPRESSLY CONTEMPLATED THAT DEVELOPER SHALL IMPOSE THESE COVENANTS UPON ALL LOTS ABUTTING, ADJACENT OR SERVED BY THE "IMPROVEMENTS" THE FULL OBLIGATION AND RESPONSIBILITY OF MAINTAINING AND OPERATING SAID "IMPROVEMENTS."

PRIVATE DRAINAGE EASEMENT:

THE CITY OF BURLESON IS NOT RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, OR USE OF THE DRAINAGE CHANNELS ASSOCIATED WITH THIS SITE, HEREINAFTER REFERRED TO AS "IMPROVEMENTS," TO BE DEVELOPED AND CONSTRUCTED BY DEVELOPER OR SUCCESSORS. DEVELOPER WILL INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF BURLESON, ITS OFFICERS, EMPLOYEES AND AGENTS FROM ANY DIRECT OR INDIRECT LOSS, DAMAGE, LIABILITY OR EXPENSE AND ATTORNEYS' FEES FOR ANY NEGLIGENCE WHATSOEVER, ARISING OUT OF THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE CONDITION OR USE OF THE "IMPROVEMENTS," INCLUDING ANY NON-PERFORMANCE OF THE FOREGOING. DEVELOPER WILL REQUIRE ANY SUCCESSOR IN INTEREST TO ACCEPT FULL RESPONSIBILITY AND LIABILITY FOR THE "IMPROVEMENTS." ALL OF THE ABOVE SHALL BE COVENANTS RUNNING WITH THE LAND. IT IS EXPRESSLY CONTEMPLATED THAT DEVELOPER SHALL IMPOSE THESE COVENANTS UPON ALL LOTS ABUTTING, ADJACENT OR SERVED BY THE "IMPROVEMENTS" THE FULL OBLIGATION AND RESPONSIBILITY OF MAINTAINING AND OPERATING SAID "IMPROVEMENTS."

ON SITE SANITARY SEWER FACILITY NOTE:

TARRANT COUNTY PUBLIC HEALTH IS THE PERMITTING AUTHORITY FOR ALL ONSITE SANITARY SEWER FACILITY (OSSF) / SEPTIC SYSTEMS WITHIN THIS SUBDIVISION.

HOMEOWNERS' ASSOCIATION (HOA):

THE HOMEOWNERS' ASSOCIATION (HOA) SHALL MAINTAIN ALL AREAS WITHIN THE PRIVATE ACCESS, UTILITY, AND PRIVATE DRAINAGE EASEMENTS AS WELL AS THE COMMON LOTS. THIS INCLUDES THE PRIVATE ROADSWAYS, BELLE OAK COURT AND NOTTAWAY COURT.

MINIMUM LOT WIDTH AROUND CUL-DE-SACS:

LOTS IN BELLE OAK ESTATES ARE REQUIRED TO HAVE A 60 FEET MINIMUM LOT WIDTH AROUND CUL-DE-SACS AS MEASURED ALONG A LINE THAT IS OFFSET 25 FEET TO THE OUTSIDE OF THE PRIVATE ACCESS, UTILITY AND PRIVATE DRAINAGE EASEMENT.

COVENANTS AND RESTRICTIONS TO REMAIN UNALTERED:

THIS PLAT DOES NOT ALTER OR REMOVE EXISTING DEED RESTRICTIONS OR COVENANTS, IF ANY, ON THIS PROPERTY.

CURVE TABLE

| CURVE | RADIUS | DELTA | LENGTH |
|-------|---------|-----------|---------|
| C-1 | 250.00 | 09°40'47" | 42.24' |
| C-2 | 250.00 | 17°42'47" | 77.29' |
| C-3 | 188.00 | 43°41'46" | 143.38' |
| C-4 | 188.00 | 47°38'13" | 156.31' |
| C-5 | 1143.00 | 00°30'08" | 10.02' |

AREA TABLE

| TRACT | SQ. FEET | ACRES |
|-------|-----------|--------|
| GROSS | 1,754,324 | 40.274 |

OWNER:

EASTLAND CONSTRUCTION, INC.
c/o WILLIAM E. WARE
P. O. BOX 2285
BURLESON, TEXAS 76097
817-295-6156

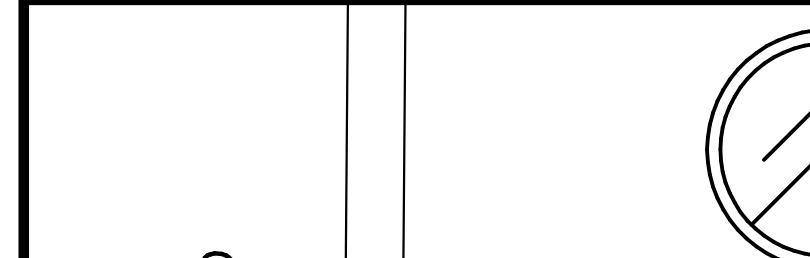
SURVEYOR:

GRANT ENGINEERING, INC.
3244 HEMPHILL STREET
FORT WORTH, TEXAS 76110
817-923-3131

NOTES

1. BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED. HOWEVER, FENCING IS ALLOWED IN THESE AREAS ACCORDING TO THE GUIDELINES SET FORTH IN THE NOTE AT LEFT TITLED: "CONSTRUCTING FENCES ACROSS DRAINAGE EASEMENTS."
2. THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVELING ALONG OR ACROSS THIS ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
3. THE CITY OF BURLESON WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION.
4. THE CITY OF BURLESON WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.
5. ON-SITE SEWAGE FACILITY PERFORMANCE CANNOT BE GUARANTEED EVEN THOUGH ALL PROVISIONS OF THE RULES OF JOHNSON COUNTY, TEXAS FOR PRIVATE SEWAGE FACILITIES ARE COMPLIED WITH.
6. INSPECTION AND/OR ACCEPTANCE OF A PRIVATE SEWAGE FACILITY BY THE JOHNSON COUNTY PUBLIC WORKS DEPARTMENT SHALL INDICATE ONLY THAT THE FACILITY MEETS MINIMUM REQUIREMENTS AND DOES NOT RELIEVE THE OWNER OF THE PROPERTY FROM COMPLYING WITH COUNTY, STATE AND FEDERAL REGULATIONS, PRIVATE SEWAGE FACILITIES, ALTHOUGH APPROVED AS MEETING MINIMUM STANDARDS, MUST BE UPGRADDED BY THE OWNER AT THE OWNER'S EXPENSE IF NORMAL OPERATION OF THE FACILITY RESULTS IN OBJECTIONABLE ODORS, IF UNSANITARY CONDITIONS ARE CREATED, OR IF THE FACILITY WHEN USED DOES NOT COMPLY WITH GOVERNMENTAL REGULATIONS.
7. A PROPERLY DESIGNED AND CONSTRUCTED PRIVATE SEWAGE FACILITY SYSTEM, IN SUITABLE SOIL, CAN MALFUNCTION IF THE AMOUNT OF WATER IT IS REQUIRED TO DISPOSE OF IS NOT CONTROLLED. IT WILL BE THE RESPONSIBILITY OF THE LOT OWNER TO MAINTAIN AND OPERATE THE PRIVATE SEWAGE FACILITY IN A SATISFACTORY MANNER.
8. THE CITY OF BURLESON RESERVES THE RIGHT TO REQUIRE MINIMUM FINISH FLOOR ELEVATIONS ON ANY LOT WITHIN THIS SUBDIVISION. THE MINIMUM ELEVATIONS SHOWN ARE BASED ON THE MOST CURRENT INFORMATION AVAILABLE AT THE TIME THE PLAT IS FILED AND MAY BE SUBJECT TO CHANGE.
9. WATER SERVICE PROVIDED BY JOHNSON COUNTY SPECIAL UTILITY DISTRICT. SEWER SERVICE BY INDIVIDUAL ON-SITE TREATMENT SYSTEM, EITHER AEROBIC OR STANDARD.
10. THE DRIVE APPROACH ON CORNER LOTS MUST BE LOCATED TO APPROXIMATELY LINE UP WITH THE SIDE OF THE HOUSE OR GARAGE THAT IS FARTHEST FROM THE INTERSECTION.
11. NO DIRECT RESIDENTIAL ACCESS FOR LOTS ADJACENT TO C.R. 1020 OR COMMON LOT 13, BLOCK 1, OR COMMON LOT 20, BLOCK 2, WILL BE ALLOWED.

L. D. WOLFE TRACT
VOL. 1936, P. 149



EASEMENT DETAIL "A"
SCALE: 1" = 20'

EASEMENT DETAIL "B"
SCALE: 1" = 20'

EASEMENT DETAIL "C"
SCALE: 1" = 20'

EASEMENT DETAIL "D"
SCALE: 1" = 20'

EASEMENT DETAIL "E"
SCALE: 1" = 20'

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SCALE: 1" = 20'

EASEMENT DETAIL "V"
SCALE: 1" = 20'

RUNFIELD ADDITION
LOT 1, BLOCK 1
2020 INST. 215
DRAWER L

JOHN MARTINDALE TRACT
VOL. 608, P. 143

LIMIT OF CITY ETJ

THIS PORTION OF 41.5' WIDE PRIVATE DRAINAGE EASEMENT (ACROSS LOTS 8R & 9R) VACATED BY THIS PLAT

N 45°04'57" E 746.92'

FND. 1/2" ROD (CM)

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LINE TABLE

| LINE | BEARING | DIST. |
|------|---------------|---------|
| L1 | S 45°15'58" W | 38.00' |
| L2 | S 45°00'00" E | 137.66' |
| L3 | S 45°00'00" E | 137.84' |
| L4 | S 88°41'46" W | 28.00' |
| L5 | | |
| L6 | N 45°00'00" E | 81.49' |
| L7 | S 45°00'00" E | 150.88' |
| L8 | S 89°46'45" W | 60.98' |
| L9 | N 45°13'15" W | 288.13' |
| L10 | S 45°15'58" W | 31.87' |
| L11 | S 45°15'58" W | 56.00' |
| L12 | N 32°10'03" W | 59.61' |
| L13 | N 49°24'47" E | 21.19' |
| L14 | S 49°24'47" W | 11.96' |
| L15 | S 32°10'03" E | 49.51' |
| L16 | S 49°24'47" W | 10.11' |

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ORDINANCE #447-06-2016

AN ORDINANCE PROVIDING FOR THE ANNEXATION INTO THE CITY OF BURLESON OF TERRITORY MORE SPECIFICALLY DESCRIBED BELOW GENERALLY COMPRISING APPROXIMATELY 44 ACRES, FOR ALL MUNICIPAL PURPOSES; APPROVING A SERVICE PLAN FOR SUCH TERRITORY; AMENDING ORDINANCE C-594-06(A0709), OFFICIAL MAP OF THE CITY OF BURLESON; PROVIDING A SAVE AN EXCEPT CLAUSE PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas 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, after proper notice was provided in accordance with Chapter 43 of the Texas Local Government Code, public hearings on the proposed annexation were held before the Burleson City Council, said hearing dates being not more than forth days nor less than twenty days before the adoption of this ordinance on first reading; and

WHEREAS, all of the property described herein is adjacent to and within the exclusive extraterritorial jurisdiction of the City of Burleson; and

WHEREAS, a Service Plan has been prepared and presented at the public hearings and is attached to and adopted with this Ordinance; and

WHEREAS, all requirements of law have been met to require this annexation, including compliance with the provisions of Chapter 43 of the Texas Local Government Code.

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

**SECTION 1
ANNEXATION**

That all portions of the following tract (the "Annexation Area") located in Johnson County, Texas, comprising a total of 44 acres of land, more or less, is hereby annexed into the City of Burleson as a part of the city for all municipal purposes, and the city limits are extended to include such Annexation Area located in the Belle Oak Estates;

the Monroe Addition; the H.G. Catlett Survey, Abstract 185; and the H.G. Catlett Survey, Abstract 182; as filed in the deed records of Johnson County, Texas and being more particularly depicted in Exhibit "A" and particularly described on Exhibit "B", both attached to and incorporated into this Ordinance for all purposes.

SECTION 2 RIGHTS AND DUTIES OF OWNERS AND INHABITANTS IN NEWLY ANNEXED AREA

That the owners and inhabitants of the Annexation Area are entitled to all of the rights and privileges of all other citizens and property owners of the City of Burleson, and are bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be subsequently adopted.

SECTION 3 OFFICIAL MAP

That Ordinance C-594-06(A0709), the official map and boundaries of the City, previously adopted, is hereby amended to include the Annexation Area as a part of the City of Burleson, Texas. The City Secretary is directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the town to add the territory annexed as required by law.

SECTION 4 FILING CERTIFIED COPY

That the City Secretary is directed to file or cause to be filed a certified copy of this ordinance in the office of the county clerk of Johnson County, Texas.

SECTION 5 SERVICE PLAN

That attached hereto, marked as Exhibit "C" and incorporated herein for all purposes incident hereto, is a Service Plan providing for the extension of municipal services into the Annexation Area, which was made available at the public hearings for inspection by and explanation to the inhabitants of the area to be annexed.

SECTION 6 CUMULATIVE CLAUSE

That 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.

SECTION 7 SEVERABILITY CLAUSE

That should any section or part of this ordinance be held unconstitutional, illegal or invalid, or the application thereof, the unconstitutionality, illegality, invalidity or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof, but as to such remaining portions, the same shall be and remain in full force and effect.

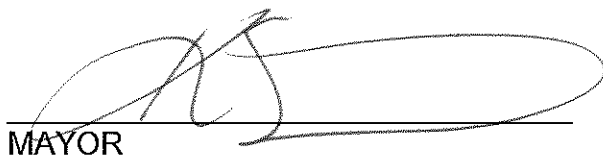
SECTION 8 AREAS EXCEPTED FROM ANNEXATION

That should this ordinance for any reason be ineffective as to any part of the area hereby annexed to the City of Burleson, such ineffectiveness of this ordinance as to any such part or parts of any such area shall not affect the effectiveness of this ordinance as to the remainder of such Annexation Area. The City Council hereby declares it to be its purpose to annex into the City of Burleson every part of the area described in Section 1 of this ordinance, regardless of whether any part of such described area is hereby not effectively annexed to the City. Provided, further, that if there is included within the general description of territory set out in Section 1 of this ordinance to be hereby annexed into the City of Burleson any lands or area which are presently part of and included within the limits of the City of Burleson, or which are presently part of and included within the limits of any other City, Town or Village, or which are not within the City of Burleson's jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed hereby as fully as if such excluded and excepted area were expressly described herein.

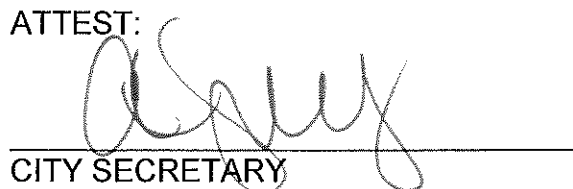
SECTION 9
EFFECTIVE CLAUSE

This ordinance shall be in full force and effect on August 1, 2016, and it is so ordained.

PASSED AND APPROVED ON THIS 20th DAY OF June 2016.


MAYOR

ATTEST:


CITY SECRETARY



APPROVED AS TO FORM AND LEGALITY:


CITY ATTORNEY

First reading: 6/6/16

Effective: 8/1/16

Exhibit “A”
Annexation Area

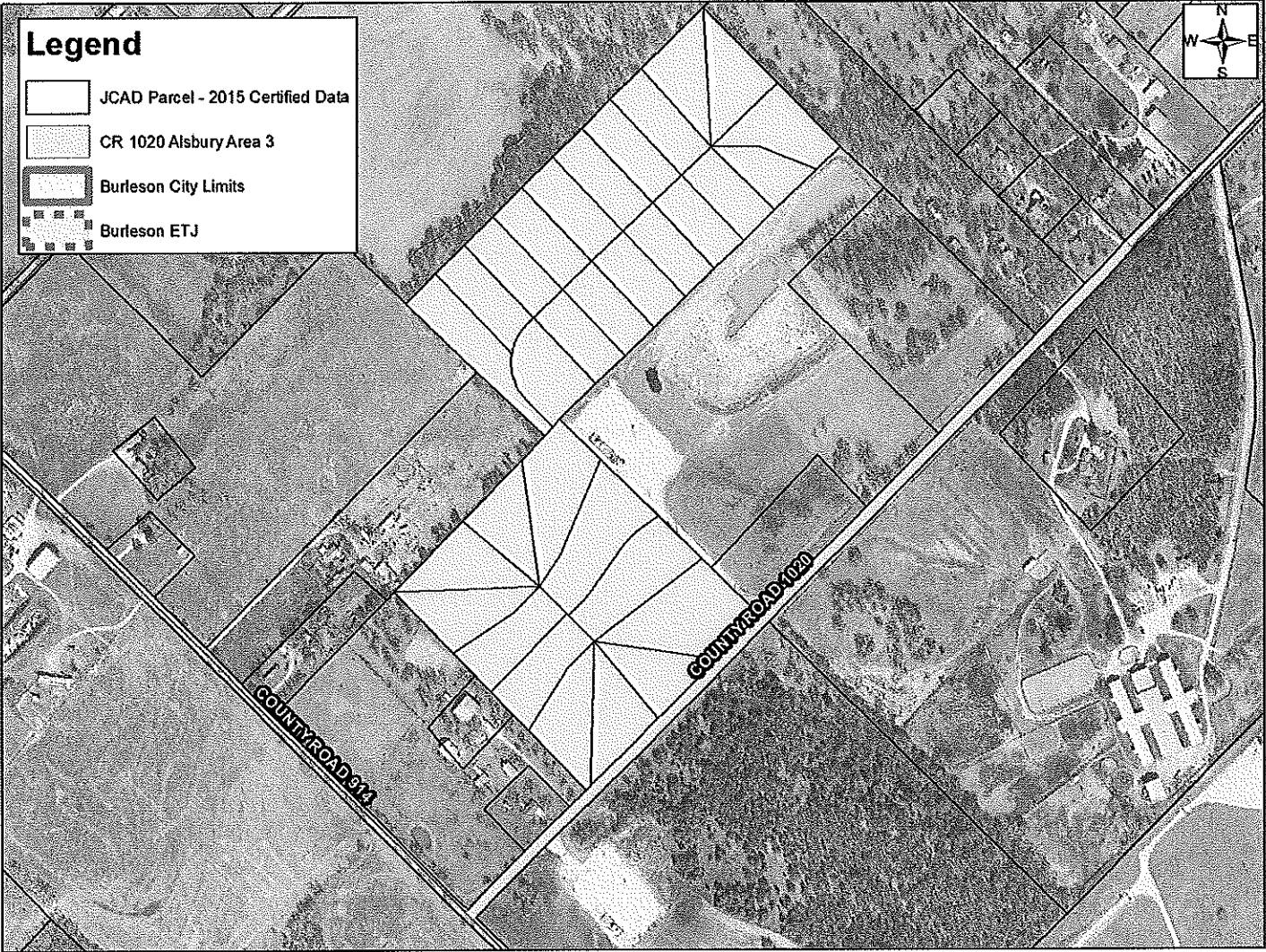


Exhibit "B"
Annexation Area Description

Beginning at the easternmost corner of Tract 25B of Abstract 185, HG Catlett Survey, Johnson County, Texas; said point also located along the northern right-of-way of County Road 1020;

Thence southeasterly across the right-of-way of County Road 1020 to a point for corner, said point located along the northwest boundary of Tract 5A of Abstract 182, HG Catlett Survey, Johnson County, Texas;

Thence southwesterly along the right-of-way of County Road 1020 approximately 3,246 Feet to a point for corner, said point being the centerline of County Road 914;

Thence northwest to a point for a corner being the intersection of the centerline of County Road 914 and the northern right-of-way of County Road 1020;

Thence northeasterly along the northern right-of-way line of County Road 1020 approximately 593.45 Feet to a point for a corner, said point being the southernmost point of Lot 4, Block 1, Belle Oaks Estates, an Addition in Johnson County, Texas;

Thence N 44°-31'-59" W 570 Feet to a 1/2" steel rod;

Thence N 44°-55'-03" W 373.37 Feet to a 1/2" steel rod;

Thence N 45°-04'-57" E 746.92 Feet to a 1/2" steel rod;

Thence N 45°-13'-15" W 662.10 Feet to a fence corner post;

Thence N 46°-03'-11" E 1,443.25 Feet to a 1/2" steel rod;

Thence S 44°-31'-00" E 676.05 Feet to a 1/2" steel rod;

Thence S 46°-42'-10" W 1,347.47 Feet to a 1/2" steel rod;

Thence S 45°-00'-00" E 970.52 Feet to the northern right-of-way line of County Road 1020;

Thence northeasterly along the northern right-of-way line of County Road 1020 approximately 1,804.50 Feet to the point of beginning.

Exhibit “C”

CITY OF BURLESON, TEXAS SERVICE PLAN FOR ANNEXED AREA

Property Subject to Plan (the “Annexation Area”):

Approximately 44 acres of land located in the western portion of the City of Burleson Extraterritorial Jurisdiction (ETJ) in areas along County Road 1020 and northeast of County Road 914.

Location: City of Burleson ETJ

County: Johnson

Municipal services to the Annexation Area will be furnished by or on behalf of the City of Burleson, Texas, at the following levels and in accordance with the following service plan programs:

I. PROGRAM FOR SERVICES TO BE PROVIDED ON THE EFFECTIVE DATE OF THE ANNEXATION

The City will provide the following services in the Annexation Area on the effective date of the annexation, unless otherwise noted.

1. POLICE PROTECTION

The City of Burleson, Texas will provide police protection to the Annexation Area at the same or similar level of service now being provided to other areas of the City of Burleson, Texas, with similar topography, land use and population density. The need for additional service will be assessed periodically as new development occurs within the Annexation Area based on population growth, predicted future growth, call volume and response times.

2. FIRE PROTECTION AND AMBULANCE SERVICE

The City of Burleson, Texas will provide, or cause to be provided, fire protection and ambulance service to the Annexation Area at the same or similar level of service now being provided to other areas of the City of Burleson, Texas, with similar topography, land use and population density. The need for additional service will be assessed periodically as new development occurs within the Annexation Area based on population growth, predicted future growth, call volume and response times.

3. SOLID WASTE COLLECTION

The City of Burleson, Texas provides, or causes to provide, solid waste and refuse collection services within the city limits of the City of Burleson, Texas. Upon payment of any required deposits and the agreement to pay lawful service fees and charges, solid waste collection will be provided to citizens in the newly annexed areas to the extent that the annexed lot or tract is adjacent to public right-of-way. Persons using the services of a privately owned solid waste management service provider prior to the effective date of annexation may continue to use such services until the second anniversary of the annexation in accordance with Section 43.056 (n) and (o), Local Government Code, State of Texas.

4. MAINTENANCE OF WATER AND WASTE WATER FACILITIES

Any and all water or waste water facilities owned or maintained by the City of Burleson, Texas, at the time of annexation shall continue to be maintained by the City of Burleson, Texas. Any and all water or waste water facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City of Burleson, Texas, to the extent of its ownership. The newly annexed existing water mains at their existing locations shall be available for point of use extension based upon the current City's standard water extension policies now existing or as may be amended.

5. MAINTENANCE OF ROADS AND STREETS

Any and all roads, streets or alleyways which have been dedicated to the public, and which are owned by the City of Burleson, Texas, shall be

maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar topography, land use and population density. Any and all lighting of roads, streets and alleyways which may be positioned in a right-of-way, roadway, or utility company easement shall be maintained by the applicable utility company servicing the City of Burleson, Texas, pursuant to the current rules, regulations and fees of the City of Burleson, Texas.

6. MAINTENANCE OF PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council of the City of Burleson, Texas, is not aware of the existence of any public parks, public playgrounds or public swimming pools now located in the area proposed for annexation. In the event any such public parks, public playgrounds, or public swimming pools do exist and are public facilities, the City of Burleson, Texas, will maintain such areas to the same extent and degree that it maintains public parks, public playgrounds and public swimming pools and other similar areas of the City now incorporated in the City of Burleson, Texas.

7. MAINTENANCE OF PUBLICLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City Council of the City of Burleson, Texas is not aware of the existence of any publicly owned municipal facility, building or other municipal service now located in the area proposed for annexation. In the event any such publicly owned municipal facility, building or municipal service does exist and are public facilities, the City of Burleson, Texas, will maintain such areas to the same extent and degree that it maintains publicly owned municipal facilities, buildings or municipal services of the City now incorporated in the City of Burleson, Texas.

II. PROGRAM FOR PROVIDING ADDITIONAL SERVICES

In addition to the services identified above, the following services will be provided in the Annexation Area on the effective date of the annexation, unless otherwise noted:

1. LIBRARY SERVICES

Any residents of the Annexation Area will be eligible to receive library services from the Burleson Public Library commencing on the effective date of the annexation.

2 MUNICIPAL ADMINISTRATION

The City of Burleson, Texas will provide general municipal administration and administrative services commencing on the effective date of the annexation.

3. ENFORCEMENT OF CODES AND ORDINANCES

Enforcement of the City's ordinances and regulatory codes will be provided within the Annexation Area on the effective date of the annexation. The City's health, environmental, building, plumbing, mechanical, electrical, and all other codes will be enforced within the Annexation Area beginning with the effective date of the annexation. The City's zoning ordinance, subdivision regulations, design standards manual and related ordinances shall be enforced in the Annexation Area beginning on the effective date of the annexation. Complaints of ordinance or regulation violations within the area will be answered and investigated by existing personnel.

4. INSPECTION SERVICES

All inspection services furnished by the City of Burleson, Texas, but not mentioned above, will be provided to the Annexation Area beginning on the effective date of the annexation.

III. CONSTRUCTION OF CAPITAL IMPROVEMENTS

In addition to the services listed above, the City of Burleson, Texas will provide full municipal services to the Annexation Area commensurate with the levels of services provided in other parts of the City no later than two and one-half (2-½) years after the effective date of the annexation except if differences in topography, land use, and population density constitute a sufficient basis for providing different levels of service. If full municipal services cannot be reasonably provided within the aforementioned time period, the City of Burleson, Texas will propose a schedule for providing said services within a period of four and one-half (4-½) years after the effective date of the annexation, and/or upon commencement of development of a land subdivision within the Annexation Area, whichever occurs later.

1. GENERAL

- a. The City policy for extending water and waste water service is to extend service on an as required basis when development applications or subdivision plats are submitted to the City in accordance with the City's subdivision and development ordinances.
- b. Landowners may be required to fund capital improvements necessary to provide service in a manner consistent with law. Nothing in this plan shall be interpreted to require a landowner within the newly annexed area to fund capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395 of the Local Government Code, unless otherwise agreed to by the landowner.

2. POLICE PROTECTION, FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE.

The City Council of the City of Burleson, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement for the purposes of providing police protection, fire protection, or emergency medical service. The City Council finds and determines that it has at the present time adequate facilities to provide the same type, kind and level of protection and service which is presently being administered to other areas already incorporated in the City of Burleson, Texas, with the same or similar topography, land use and population density, without reducing by more than a negligible amount the level of police, fire and emergency medical services provided within the corporate limits of the City. The need for construction of new facilities will be assessed periodically as new development occurs within the Annexation Area based on population growth, predicted future growth, call volume and response times.

3. WATER FACILITIES AND SERVICES

The City of Burleson, Texas will undertake to provide water mains for points of connection for serviceable extensions, and/or contract with other utilities to provide service, for the establishment of water and wastewater

service within the Annexation Area pursuant to the City's standard water extension policies now in existence or as may be amended by the City Council. The area to be annexed is currently served by another water provider with a Certificate of Convenience and Necessity. If further development occurs that warrants extension or expansion of the water main, such extension or expansion will be implemented in accordance with the City's utility policies and Water and Wastewater Master Plan. Upon connection to existing mains, water will be provided at rates established by the water service provider.

4. WASTE WATER SERVICES

The City of Burleson, Texas will undertake to provide waste water mains for points of connection for serviceable extensions, and/or contract with other utilities to provide service, for the establishment of water and wastewater service within the Annexation Area pursuant to the City's standard wastewater extension policies now in existence or as may be amended by the City Council. Upon connection to existing mains, waste water services will be provided at rates established by the City.

5. ROADS AND STREETS

The City of Burleson, Texas, with cooperative effort of the City's designated utility company, will undertake to provide the same degree of road and street lighting as provided in areas of similar topography, land use and population density within the present corporate limits of the City of Burleson, Texas. Maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use and population density to the annexed property. Developers will be required, pursuant to the ordinances of the City of Burleson, Texas, to provide internal and peripheral streets and to construct those streets in accordance with the specifications required by the City of Burleson, Texas.

**F. MAINTENANCE OF PARKS, PLAYGROUNDS, AND SWIMMING POOLS,
AND THE MAINTENANCE OF ANY OTHER PUBLICLY OWNED
FACILITY, BUILDING OR SERVICE.**

To the extent that it becomes necessary due to development demands, population growth, and a bona fide need, the City Council of the City of Burleson, Texas, will undertake to provide any such facility which it deems necessary to adequately provide for the health and safety of the citizens of the newly incorporated area based upon the standard considerations of topography, land use and population density.

IV. SPECIFIC FINDINGS

The City Council of the City of Burleson, Texas, finds and determines that this Service Plan will provide full municipal services to the Annexation Area commensurate with the levels of services provided in other parts of the City with the same or similar topography, land use and population density, and it will not provide a lower level of service in the area proposed to be incorporated than were in existence at the time immediately preceding the effective date of annexation.

Planning & Zoning Commission Meeting

DEPARTMENT: Development Services

FROM: JP Ducay, Senior Planner

MEETING: February 14, 2023

SUBJECT:

Belle Oak Estates; Lots 1R, 2R, 3R, 4R, 5R, 6, 7, 8R, 9R, 10, 11R, 12R and Common Lot 13, Block 1, Lots 1, 2, 3, 4R, 5R, 6R, 7R, 8R, 9, 10, 11, 12R, 13R, 14R, 15R, 16R, 17, 18, 19R and Common Lot 20, Block 2 (Case 22-155): Consider approval of a replat containing 31 single-family residential lots and two common lots for Belle Oak Estates. (*Staff Presenter: JP Ducay, Senior Planner*)

SUMMARY:

On November 14, 2022, an application for a replat including 39.696 acres was submitted David Reaves with Grant Engineering (applicant) on behalf of William Ware with Eastland Construction Inc. (owner). The purpose of this replat is to dedicate 30 feet of Right-Of-Way along CR 1020, and to modify utility easements. A separate ordinance will be going forward to City Council for the Belle Oak Estates Planned Development (22-169). This plat will not be filed by staff until after approval of that ordinance.

The application is administratively complete and meets the requirements of Appendix A – Subdivision and Development regulations.

OPTIONS:

- 1) Conditionally approve the Replat contingent upon approval of the Planned Development (22-169) by City Council; or
- 2) Deny the Replat.

RECOMMENDATION:

Staff recommends approval of the Replat of Belle Oak Estates, containing 31 single-family residential lots and two common lots (Case 22-155) with a condition that the Belle Oak Estates Planned Development (22-169) ordinance is approved by City Council.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

June 20, 2016: City Council motion to **approve** the request to annex over 1,000 acres of land including Belle Oak Estates was approved by a vote of 7-0.

January 26, 2006: The Final Plat of Belle Oak Estates was approved by the City of Burleson.

PUBLIC NOTIFICATION:

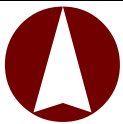
The Texas Local Government Code (LGC) requires property owners within 200 feet of a residential replat to receive a mailed notice post approval according to section 212.015 for the LGC.

Fiscal IMPACT:

None

STAFF CONTACT:

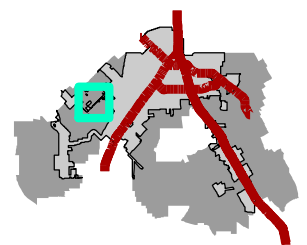
JP Ducay
Development Services – Senior Planner
jducay@burlesontx.com
817-426-9648



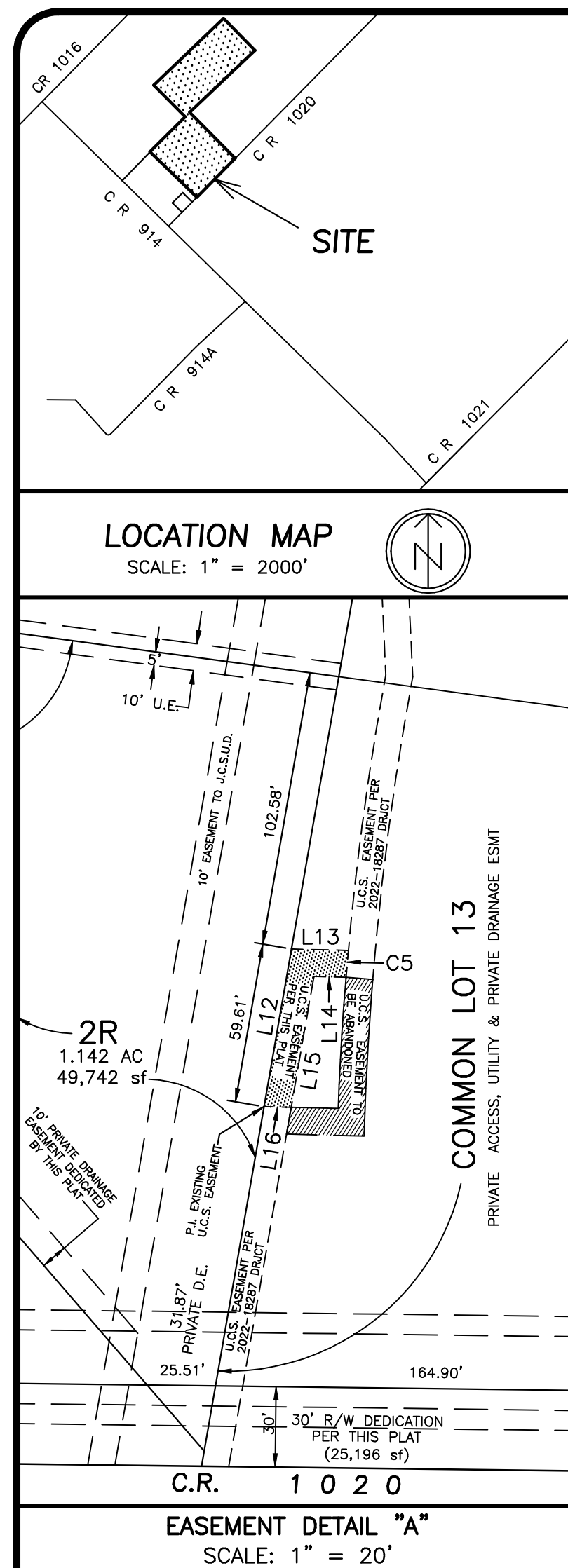
Belle Oak Estates

THE CITY OF
BURLESON
TEXAS

Replat
Case 22-155



Vicinity Map



RIGHT-OF-WAY DEDICATION NOTE

THE RIGHT-OF-WAY DEDICATION IS GRANTED IN FEE SIMPLE TO THE CITY OF BURLESON FOR USE AS STORM WATER, PUBLIC UTILITY, PEDESTRIAN, OR OTHER PUBLIC PURPOSES.

| PREFIX DIRECTION | STREET NAME | STREET-TYPE/ SUFFIX | ROW DEDICATION (ACRES) |
|------------------|-------------|---------------------|------------------------|
| — | C.R. 1020 | | 0.578 |

DETENTION POND AND PRIVATE DRAINAGE EASEMENT MAINTENANCE:

THE CITY OF BURLESON IS NOT RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, OR USE OF ANY STORM WATER STORAGE FACILITY AND ASSOCIATED DRAINAGE EASEMENT, HEREINAFTER REFERRED TO AS "IMPROVEMENTS," TO BE DEVELOPED AND CONSTRUCTED BY DEVELOPER OR SUCCESSORS. DEVELOPER WILL INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF BURLESON, ITS OFFICERS, EMPLOYEES AND AGENTS FROM ANY DIRECT OR INDIRECT LOSS, DAMAGE, LIABILITY OR EXPENSE AND ATTORNEYS' FEES FOR ANY NEGLIGENCE WHATSOEVER, ARISING OUT OF THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE CONDITION OR USE OF THE "IMPROVEMENTS," INCLUDING ANY NONPERFORMANCE OF THE FOREGOING. DEVELOPER WILL REQUIRE ANY SUCCESSOR IN INTEREST TO ACCEPT FULL RESPONSIBILITY AND LIABILITY FOR THE "IMPROVEMENTS." ALL OF THE ABOVE SHALL BE COVENANTS RUNNING WITH THE LAND. IT IS EXPRESSLY CONTEMPLATED THAT DEVELOPER SHALL IMPOSE THESE COVENANTS UPON ALL LOTS ABUTTING, ADJACENT OR SERVED BY THE "IMPROVEMENTS" THE FULL OBLIGATION AND RESPONSIBILITY OF MAINTAINING AND OPERATING SAID "IMPROVEMENTS."

PRIVATE DRAINAGE EASEMENT:

THE CITY OF BURLESON IS NOT RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, OR USE OF THE DRAINAGE CHANNELS ASSOCIATED WITH THIS SITE, HEREINAFTER REFERRED TO AS "IMPROVEMENTS," TO BE DEVELOPED AND CONSTRUCTED BY DEVELOPER OR SUCCESSORS. DEVELOPER WILL INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF BURLESON, ITS OFFICERS, EMPLOYEES AND AGENTS FROM ANY DIRECT OR INDIRECT LOSS, DAMAGE, LIABILITY OR EXPENSE AND ATTORNEYS' FEES FOR ANY NEGLIGENCE WHATSOEVER, ARISING OUT OF THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE CONDITION OR USE OF THE "IMPROVEMENTS," INCLUDING ANY NONPERFORMANCE OF THE FOREGOING. DEVELOPER WILL REQUIRE ANY SUCCESSOR IN INTEREST TO ACCEPT FULL RESPONSIBILITY AND LIABILITY FOR THE "IMPROVEMENTS." ALL OF THE ABOVE SHALL BE COVENANTS RUNNING WITH THE LAND. IT IS EXPRESSLY CONTEMPLATED THAT DEVELOPER SHALL IMPOSE THESE COVENANTS UPON ALL LOTS ABUTTING, ADJACENT OR SERVED BY THE "IMPROVEMENTS" THE FULL OBLIGATION AND RESPONSIBILITY OF MAINTAINING AND OPERATING SAID "IMPROVEMENTS."

ON SITE SANITARY SEWER FACILITY NOTE:

TARRANT COUNTY PUBLIC HEALTH IS THE PERMITTING AUTHORITY FOR ALL ONSITE SANITARY SEWER FACILITY (OSSF) / SEPTIC SYSTEMS WITHIN THIS SUBDIVISION.

HOMEOWNERS' ASSOCIATION (HOA):

THE HOMEOWNERS' ASSOCIATION (HOA) SHALL MAINTAIN ALL AREAS WITHIN THE PRIVATE ACCESS, UTILITY, AND PRIVATE DRAINAGE EASEMENTS AS WELL AS THE COMMON LOTS. THIS INCLUDES THE PRIVATE ROADS, BELLE OAK COURT AND NOTTAWAY COURT.

MINIMUM LOT WIDTH AROUND CUL-DE-SACS:

LOTS IN BELLE OAK ESTATES ARE REQUIRED TO HAVE A 60 FEET MINIMUM LOT WIDTH AROUND CUL-DE-SACS AS MEASURED ALONG A LINE THAT IS OFFSET 25 FEET TO THE OUTSIDE OF THE PRIVATE ACCESS, UTILITY AND PRIVATE DRAINAGE EASEMENT.

COVENANTS AND RESTRICTIONS TO REMAIN UNALTERED:

THIS PLAT DOES NOT ALTER OR REMOVE EXISTING DEED RESTRICTIONS OR COVENANTS, IF ANY, ON THIS PROPERTY.

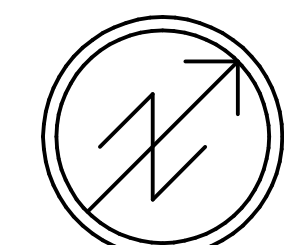
CURVE TABLE

| CURVE | RADIUS | DELTA | LENGTH |
|-------|---------|-----------|---------|
| C-1 | 250.00 | 09°40'47" | 42.24' |
| C-2 | 250.00 | 17°42'47" | 77.29' |
| C-3 | 188.00 | 43°41'46" | 143.38' |
| C-4 | 188.00 | 47°38'13" | 156.31' |
| C-5 | 1143.00 | 00°30'08" | 10.02' |

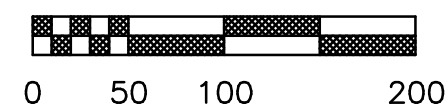
AREA TABLE

| TRACT | SQ. FEET | ACRES |
|-------|-----------|--------|
| GROSS | 1,754,324 | 40.274 |

M. O. BUSH TRACT
VOL. 515, P. 29



SCALE: 1" = 100'



THE BASIS OF BEARING IS THE PREVIOUS PLAT.

CONTROLLING MONUMENTS (CM):
FND 1/2" ROD AT THE NW CORNER OF BLOCK 1
AND FND 1/2" ROD AT SW CORNER OF BLOCK 2.

THE PURPOSE OF THIS REPLAT IS TO DEDICATE 30 FEET OF RIGHT-OF-WAY ALONG CR 1020, AND TO MODIFY UTILITY EASEMENTS.

NOTE: UNLESS OTHERWISE NOTED, ALL EASEMENTS WITHIN BELLE OAK ESTATES WERE DEDICATED BY THE PLAT RECORDED IN VOLUME 9, PAGE 510, DRAWER C, PRCT

MONROE ADDITION
LOT 1, BLOCK 1
VOLUME 9
PAGE 321

JOHN BELZNER TRACT
VOL. 1853, P. 322

HARBISON FISHER, INC.
TRACT

OWNER:

EASTLAND CONSTRUCTION, INC.
c/o WILLIAM E. WARE
P. O. BOX 2285
BURLESON, TEXAS 76097
817-295-6156

SURVEYOR:

GRANT ENGINEERING, INC.
3244 HEMPHILL STREET
FORT WORTH, TEXAS 76110
817-923-3131

NOTES

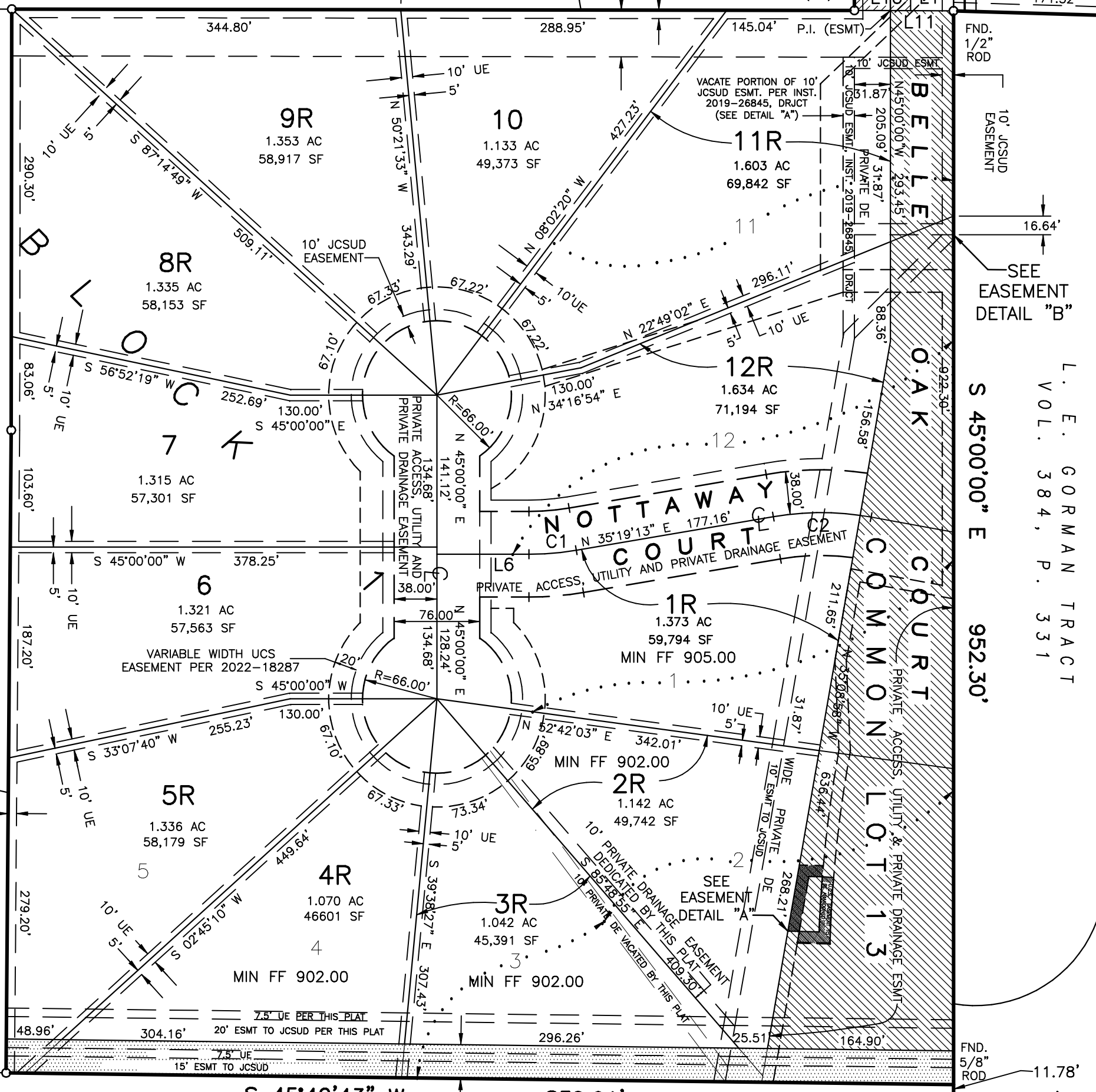
1. BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED. HOWEVER, FENCING IS ALLOWED IN THESE AREAS ACCORDING TO THE GUIDELINES SET FORTH IN THE NOTE AT LEFT TITLED: "CONSTRUCTING FENCES ACROSS DRAINAGE EASEMENTS."
2. THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVELING ALONG OR ACROSS THIS ADDITION WILL REMAIN AS OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO DRAINAGE COURSES ALONG OR ACROSS SAID LOTS.
3. THE CITY OF BURLESON WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OF EROSION.
4. THE CITY OF BURLESON WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.
5. ON-SITE SEWAGE FACILITY PERFORMANCE CANNOT BE GUARANTEED EVEN THOUGH ALL PROVISIONS OF THE RULES OF JOHNSON COUNTY, TEXAS FOR PRIVATE SEWAGE FACILITIES ARE COMPLIED WITH.
6. INSPECTION AND/OR ACCEPTANCE OF A PRIVATE SEWAGE FACILITY BY THE JOHNSON COUNTY PUBLIC WORKS DEPARTMENT SHALL INDICATE ONLY THAT THE FACILITY MEETS MINIMUM REQUIREMENTS AND DOES NOT RELIEVE THE OWNER OF THE PROPERTY FROM COMPLYING WITH COUNTY, STATE AND FEDERAL REGULATIONS, PRIVATE SEWAGE FACILITIES, ALTHOUGH APPROVED AS MEETING MINIMUM STANDARDS, MUST BE UPGRADDED BY THE OWNER AT THE OWNER'S EXPENSE IF NORMAL OPERATION OF THE FACILITY RESULTS IN OBJECTIONABLE ODOORS, IF UNSANITARY CONDITIONS ARE CREATED, OR IF THE FACILITY WHEN USED DOES NOT COMPLY WITH GOVERNMENTAL REGULATIONS.
7. A PROPERLY DESIGNED AND CONSTRUCTED PRIVATE SEWAGE FACILITY SYSTEM, IN SUITABLE SOIL, CAN MALFUNCTION IF THE AMOUNT OF WATER IT IS REQUIRED TO DISPOSE OF IS NOT CONTROLLED. IT WILL BE THE RESPONSIBILITY OF THE LOT OWNER TO MAINTAIN AND OPERATE THE PRIVATE SEWAGE FACILITY IN A SATISFACTORY MANNER.
8. THE CITY OF BURLESON RESERVES THE RIGHT TO REQUIRE MINIMUM FINISH FLOOR ELEVATIONS ON ANY LOT WITHIN THIS SUBDIVISION. THE MINIMUM ELEVATIONS SHOWN ARE BASED ON THE MOST CURRENT INFORMATION AVAILABLE AT THE TIME THE PLAT IS FILED AND MAY BE SUBJECT TO CHANGE.
9. WATER SERVICE PROVIDED BY JOHNSON COUNTY SPECIAL UTILITY DISTRICT. SEWER SERVICE BY INDIVIDUAL ON-SITE TREATMENT SYSTEM, EITHER AEROBIC OR STANDARD.
10. THE DRIVE APPROACH ON CORNER LOTS MUST BE LOCATED TO APPROXIMATELY LINE UP WITH THE SIDE OF THE HOUSE OR GARAGE THAT IS FARTHEST FROM THE INTERSECTION.
11. NO DIRECT RESIDENTIAL ACCESS FOR LOTS ADJACENT TO C.R. 1020 OR COMMON LOT 13, BLOCK 1, OR COMMON LOT 20, BLOCK 2, WILL BE ALLOWED.

L. D. WOLFE TRACT
VOL. 1936, P. 149

RUMFIELD ADDITION
LOT 1, BLOCK 1
2020 INST. 215
DRAWER L

JOHN MARTINDALE TRACT
VOL. 608, P. 143

THIS PORTION OF 41.5' WIDE PRIVATE DRAINAGE EASEMENT (ACROSS LOTS 8R & 9R) VACATED BY THIS PLAT



STATE OF TEXAS
COUNTY OF JOHNSON

KNOW ALL MEN BY THESE PRESENTS THAT EASTLAND CONSTRUCTION, INC., ACTING BY AND THROUGH THE UNDERSIGNED, ITS DULY AUTHORIZED AGENT, IS THE SOLE OWNER OF THE FOLLOWING DESCRIBED PROPERTY:

A 39.696 acre tract of land out of the H. G. Catlett Survey No. 12, Abstract No. 185, Johnson County, Texas, being a portion of those two tracts conveyed by B. S. DeBusk, and wife, Phyllis DeBusk to C. B. Green by Warranty Deed recorded in Volume 419, Page 53, Deed Records of Johnson County, Texas, and a portion of that tract conveyed to C. B. Green by Warranty Deed recorded in Volume 463, Page 210 of said Deed Records, said combined tract being more particularly described by metes and bounds as follows:

BEGINNING at a set 1/2" steel rod at the most northerly corner of Lot 1, Block 1, Monroe Addition, an addition in Johnson County, Texas, according to the plat recorded in Volume 9, Page 321, Drawer C, Plat Records, Johnson County, Texas, said point being in the westerly northwest line of said Green tract in Volume 419, Page 53 of said Deed Records;

THENCE North 45°04'57" East along the westerly northwest line of said Green tract, and along a fence, 746.92 feet to a found 1/2" steel rod;

THENCE North 45°13'15" West along a fence, 662.10 feet to a fence corner post;

THENCE North 46°03'11" East along a fence, 1443.25 feet to a found 1/2" steel rod;

THENCE South 44°31'00" East along a fence, 676.05 feet to a found 1/2" steel rod;

THENCE South 46°42'10" West along a fence, 1347.47 feet to a found 1/2" steel rod;

THENCE South 45°00'00" East along the southerly northeast line of said Green Tract, 922.30 feet to point;

THENCE South 49°42'43" West, 839.79 feet to a point in the southwesterly line of said Green Tract and the northeasterly line of said Lot 1, Block 1, Monroe Addition;

THENCE North 44°31'59" West along a fence, 540.00 feet to a found 1/2" steel rod at an angle point in the northeasterly line of said Lot 1, Block 1;

THENCE North 44°55'03" West, continuing along said northeasterly line of Lot 1, Block 1 and along a fence, 373.37 feet to the Point of Beginning and containing 39.696 acres (1,729,163 square feet) of land, more or less.

DOES HEREBY ADOPT THIS PLAT WHICH CORRECTLY REPRESENTS MY PLAN FOR SUBDIVISION, SAID LAND TO BE HEREAFTER KNOWN AS:

LOTS 1R, 2R, 3R, 4R, 5R, 6R, 7R, 8R, 9R, 10R, 11R, 12R, 13R, 14R, 15R, 16R, 17R, 18R, 19R, & COMMON LOT 20, BLOCK 2
BELLE OAK ESTATES
AN ADDITION TO THE CITY OF BURLESON, IN JOHNSON COUNTY, TEXAS

AND DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER ALL STREETS, RIGHT-OF-WAYS, ALLEYS AND EASEMENTS SHOWN THEREON. THE CITY OR ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OTHER IMPROVEMENTS OR GROWTHS IN WHICH ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE OR EFFICIENCY OF ITS RESPECTIVE SYSTEMS ON ANY OF THESE EASEMENTS, AND THE CITY OR ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON THE SAID EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING AND PATROLLING, WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE, THIS PLAT APPROVED SUBJECT TO ALL PLATING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS OF THE CITY OF BURLESON.

WILLIAM E. WARE, PRESIDENT

DATE

ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF JOHNSON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED WILLIAM E. WARE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED HERETO, AND HE ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THE _____ DAY OF _____, 2023.

MY COMMISSION EXPIRES:

NOTARY PUBLIC
STATE OF TEXAS

REPLAT

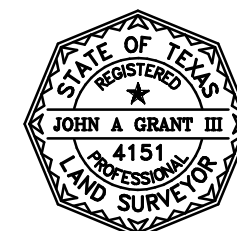
LOTS 1R, 2R, 3R, 4R, 5R, 6R,
7R, 8R, 9R, 10R, 11R, 12R, &
COMMON LOT 13, BLOCK 1 AND
LOTS 1, 2, 3, 4R, 5R, 6R,
7R, 8R, 9, 10, 11, 12R, 13R, 14R, 15R, 16R,
17, 18, 19R & COMMON LOT 20, BLOCK 2

BELLE OAK ESTATES

AN ADDITION TO THE CITY OF BURLESON
AS RECORDED IN VOLUME 9,
PAGE 510, DRAWER C, PRCT
JOHNSON COUNTY, TEXAS

NOVEMBER, 2022
31 RESIDENTIAL SINGLE-FAMILY LOTS &
2 COMMON LOTS
LOCATED IN THE CITY OF BURLESON

I, JOHN A. GRANT, III, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY DIRECT SUPERVISION.



JOHN A. GRANT, III
REGISTERED PROFESSIONAL
LAND SURVEYOR 4151

PLAT RECORDED IN VOLUME _____, PAGE _____, SLIDE _____

DATE

COUNTY CLERK, JOHNSON COUNTY, TEXAS

DEPUTY

Grant Engineering, Inc.

Engineers Surveyors Planners
3244 Hemphill Street Fort Worth, Texas 76110-4014
Firm Registration Number: 100919-00