

# Planning & Zoning Commission Agenda

Tuesday, January 13, 2026 6:00 PM

City Hall - 141 W. Renfro Burleson, TX 76028

#### 1. CALL TO ORDER

Invocation

Pledge of Allegiance

Texas Pledge:

Honor the Texas Flag, I pledge allegiance to thee, Texas, one state under God; one and indivisible

#### 2. CITIZEN APPEARANCES

Each person in attendance who desires to speak to the Committee on an item NOT posted on the agenda, shall speak during this section. A speaker card must be filled out and turned in to the City Secretary prior to addressing the Committee. Each speaker will be allowed three minutes to speak.

Each person in attendance who desires to speak on an item posted on the agenda shall speak when the item is called forward for consideration.

#### 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 December 16, 2025 Planning & Zoning Commission meeting.
- B. Taylor Bridge Estates, Lot 13R, Block 1 (Case 25-301): Consider and take possible action on the vacation of the replat of Taylor Bridge Estates, Lot 13R, Block 1. (Staff Contact: Emilio Sanchez, Deputy Director)

#### 4. PUBLIC HEARING

- A. 420 County Road 1021(Wicker Hill) (Case 25-341): Hold a public hearing and consider and take possible action on a zoning ordinance change request from "A", Agriculture, to "SF16", Single Family Dwelling District-16. (Staff Contact: Emilio Sanchez, Deputy Director)
- B. 275 County Road 714 (Case 25-324): Hold a public hearing and consider and take possible action on a zoning ordinance change request from "PD", Planned Development, to "PD", Planned Development. (Staff Contact: Emilio Sanchez, Deputy Director)

#### 5. **REPORTS AND PRESENTATIONS**

#### 6. **GENERAL**

#### 7. **COMMUNITY INTERESTS ITEMS**

#### 8. RECESS INTO EXECUTIVE SESSION

In accordance with Chapter 551 of the Texas Government Code, the Board may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda. The Board may reconvene into open session and take action on posted items.

Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071, Texas Government Code

#### 9. 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 31st of December 2025, 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: January 13, 2026

#### **SUBJECT:**

Approve the minutes from December 16, 2025 Regular Session of the Planning & Zoning Commission meeting.

#### **SUMMARY:**

Minutes from the December 16, 2025 Regular Session of the Planning & Zoning Commission meeting.

#### **OPTIONS:**

Approve as presented

#### **RECOMMENDATION:**

Approve the minutes from the December 16, 2025 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

#### December 16, 2025 MINUTES

Roll Call

**Commissioners Present** 

David Hadley
Dan Taylor
Cynthia Plonien
Ashley Brookman
Beth Lytner
Clint Faram
Brandon Crisp
Bobby Reading

**Commissioners Absent** 

Michael Tune Michael Kurmes

#### Staff

Matt Ribitzki, City Attorney
Emilio Sanchez, Assistant Director Development Services
Peggy Fisher, Administrative Assistant

#### **REGULAR SESSION**

1. Call to Order - 6:00 PM

Invocation – David Hadley

Pledge of Allegiance

Texas Pledge

2. Citizen Appearance

None

#### 3. Consent Agenda

Emilio Sanchaez made an announcement that a correction to the PZ minutes for December 2, 2025 needed to reflect that item 3A should state motion to deny.

A. Consider approval of the minutes from December 2, 2025 Planning and Zoning Regular Commission meeting. (Staff Contact: Tony McIlwain, Director Development Services).

- **B.** Summer Crest Addition (Case 23-257): Consider and take possible action on a replat for Summer Crest Addition. (Staff Contact: Emilio Sanchez, Deputy Director of Development Services)
- C. Tantarra Estates Addition (Case 25-050): Consider and take possible action on a replat for Tantarra Estates Addition Lot 4R, Blk 2. (Staff Contact: Emilio Sanchez, Deputy Director)

Motion made by Commissioner Beth Lytner and second by Commissioner David Hadley to approve the consent agenda with the correction to item 3A.

Motion passed, 7-0. Commissioners Michael Tune and Michael Kurmes were absent.

#### 4. Public Hearing

A. 2650 SW Wilshire Blvd, Suite 300 (Case 25-219): Hold a public hearing and consider and take possible action on a zoning ordinance change request from "GR, General Retail", to "GR General Retail" with a Specific Use Permit for a Liquor Store". (Staff Contact: Emilio Sanchez, Deputy Director of Development Services)

Emilio Sanchez presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Dan Taylor opened the public hearing at 6:07 p.m.

Commission Chairman Dan Taylor closed the public hearing at 6:08 p.m.

Motion made by Commissioner Ashley Brookman and second by Commissioner Clint Faram to approve.

Motion passed, Motion passed, 7-0. Commissioners Michael Tune and Michael Kurmes were absent.

**B.** 816 Wicker Hill Road (Case 25-313): Hold a public hearing and consider and take possible action on a zoning ordinance change request from "A", Agriculture, to "SFE", Single Family Estate District. (Staff Contact: Emilio Sanchez, Deputy Director)

Emilio Sanchez presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

Commission Chairman Dan Taylor opened the public hearing at 6:11 p.m.

Commission Chairman Dan Taylor closed the public hearing at 6:11 p.m.

Motion made by Commissioner Beth Lytner and second by Commissioner Ashley Brookman to approve.

Motion passed, Motion passed, 7-0. Commissioners Michael Tune and Michael Kurmes were absent.

#### 5. Reports and Presentations

None

#### 6. General

A. Consider approval of a minute order setting the Planning and Zoning Commission meeting dates for calendar year 2026. (Case 25-344) (Staff Contact: Emilio Sanchez, Development Services Assistant Director)

Emilio Sanchez presented the case to the Commission, reviewed the staff report, and answered questions from the Commission.

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

Motion passed, Motion passed, 7-0. Commissioners Michael Tune and Michael Kurmes were absent.

#### 7. Community Interest Items

None

#### 8. Executive Session

In accordance with Chapter 551 of the Texas Government Code, the City Commission may convene in Executive Session in the City Council Workroom in City Hall to conduct a closed meeting to discuss any item listed on this Agenda.

A. Pending or Contemplated Litigation or to Seek the Advice of the City of Attorney Pursuant to Section 551.071

#### 9. Adjourn

There being no further business Chair Dan Taylor adjourned the meeting.

Time – 6:15PM

Peggy Fisher Administrative Assistant Recording Secretary





#### **Planning & Zoning Commission Meeting**

**DEPARTMENT: Development Services** 

FROM: Emilio Sanchez, Deputy Director

MEETING: January 13, 2026

#### SUBJECT:

Taylor Bridge Estates, Lot 13R, Block 1 (Case 25-301): Consider and take possible action on the vacation of the replat of Taylor Bridge Estates, Lot 13R, Block 1. (Staff Contact: Emilio Sanchez, Deputy Director)

#### STRATEGIC PRIORITY AND GOAL(S):

| Strat | egic Priority   | Strategic Goal  |
|-------|---|---|
|       | <b>Dynamic &amp; Preferred City</b> Through Managed  Growth | 2.2 Promote sustainable residential and commercial development through strategic and long-term planning |

#### **SUMMARY:**

On October 13, 2025, an application was submitted by Marshall Miller representing Lonestar Land Surveying, LLC. of behalf of Jose And Alexis Gonzales (owners) to vacate a previously approved replat (Exhibit 2) and revert back to the original platted configuration (Exhibit 3). The replat originally combined 2 lots into 1 lot, approval of the plat vacation would revert back to the original 2-lot configuration.

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

#### **RECOMMENDATION:**

Approve the plat vacation and sign vacating declaration form (Exhibit 4).

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

August 27, 2024: The Planning and Zoning Commission approved the replat.

November 6, 2004 - Original final plat for the subdivision approved by City Council.

#### **REFERENCE:**

City of Burleson, TX PLAT REQUIREMENTS

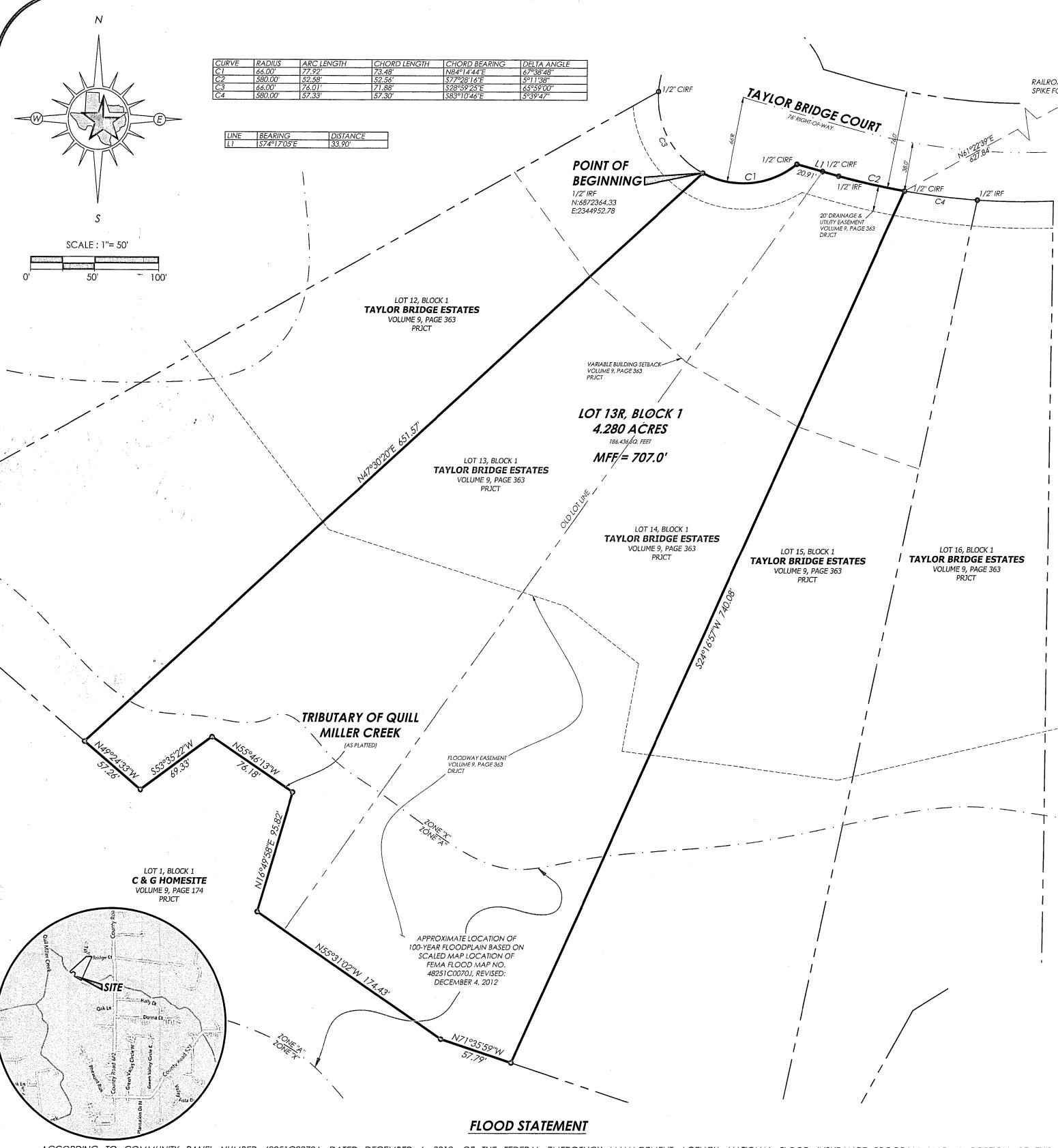
#### **FISCAL IMPACT:**

None.

#### **STAFF CONTACT:**

Emilio Sanchez
Deputy Director
<u>esanchez@burlesontx.com</u>
817-426-9686

Item B.

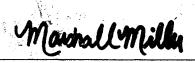


ACCORDING TO COMMUNITY PANEL NUMBER 48251C0070J, DATED DECEMBER 4, 2012, OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM MAP, A PORTION OF THIS PROPERTY LIES WITHIN "ZONE A" WHICH IS A SPECIAL FLOOD HAZARD AREA AND A PORTION OF THIS PROPERTY LIES WITHIN ZONE "X" WHICH IS NOT A SPECIAL FLOOD HAZARD AREA. IF THIS SITE IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA, THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN MADE OR NATURAL CAUSES. THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

### SURVEYOR'S CERTIFICATION

I, MARSHALL W. MILLER, 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 PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF BURLESON, TEXAS.

EXECUTED THIS THE 26th DAY OF AUGUST, 2024.



REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 6882



PROJECT NUMBER: 240263 DATE: AUGUST 26, 2024 REVISED DATE: **REVISION NOTES:** 

SHEET 1 OF 1

# NOTES

1. THE BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, NORTH CENTRAL ZONE, 4202.

2. CITY OF BURLESON WILL BE RESPONSIBLE FOR ALL FLOODPLAIN REGULATIONS AS IT RELATES TO DEVELOPMENT. ALL FUTURE PROPOSED DEVELOPMENT SHALL FOLLOW THE CITY OF BURLESON'S FLOODPLAIN REGULATIONS.

3. CITY OF BURLESON WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR FOR THE CONTROL OR EROSION.

4. ALL BUILDINGS OR STRUCTURES SHALL BE CONSTRUCTED SUCH THAT ALL GROUND LEVEL, EXTERIOR SIDES OF THE BUILDING ARE WITHIN 150 FEET OF A DEDICATED STREET OR FIRE LANE. IF THE 150 FEET CANNOT BE REACHED FROM A PUBLIC STREET, A FIRE LANE CAPABLE OF SUPPORTING 80,000 LBS SHALL BE REQUIRED ON SITE AT TIME OF CONSTRUCTION.

5. PROPERTY IS LOCATED WITHIN THE CITY LIMITS OF BURLESON.

6. THE SUBJECT PROPERTY IS LOCATED IN ZONE "X", AREA DETERMINED TO BE OUTSIDE SPECIAL FLOOD HAZARD AREA, AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP, MAP NO. 48251 C0070J, MAP REVISED DECEMBER 4, 2012.

8. THE PURPOSE OF THIS REPLAT IS TO COMBINE LOTS 13 AND 14 INTO A SINGLE DEVELOPABLE LOT.

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

9. THIS PROPERTY IS CURRENTLY ZONED SF7 BASED ON THE CITY OF BURLESON ZONING MAP,

#### NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT MICHAEL WAYNE JOHNSON AND SHARON MARIE JOHNSON, OWNERS, DO HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN BEFORE DESCRIBED PROPERTY AS LOT 13R, TAYLOR BRIDGE ESTATES, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER ALL STREETS, RIGHTS-OF-WAY, ALLEYS AND EASEMENTS SHOWN THEREON. THE CITY, COUNTY, OR ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS OR 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, COUNTY, 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 PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF BURLESON, TEXAS.

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED LINE OF THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE 2 DAY OF AUGUST, 2024.

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED Sugar 20hasia, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE 24 DAY OF AUGUST, 2024 NO ARY PUBLIC IN AND FOR THE STATE OF TEXAS

FOR THE CONTROL OF EROSION.



#### STANDARD NOTES

1. BLOCKING THE FLOW OF WATER OR CONSTRUCTING IMPROVEMENTS IN THE DRAINAGE EASEMENTS, AND FILLING OR OBSTRUCTION OF THE FLOODWAY IS PROHIBITED.

2. 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. CITY OF BURLESON WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATIONS OF SAID DRAINAGE WAYS OR

3. CITY OF BURLESON WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOOD CONDITIONS.

4. ON-SITE SEWAGE FACILITY PERFORMANCE CANNOT BE GUARANTEED EVEN THOUGH ALL PROVISIONS OF THE RULES OF CITY OF BURLESON, TEXAS FOR PRIVATE SEWAGE FACILITIES ARE COMPLIED WITH.

5. INSPECTION AND/OR ACCEPTANCE OF A PRIVATE SEWAGE FACILITY BY THE CITY OF BURLESON, OR THEIR DESIGNEE, 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.

6. 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.

7. ANY PUBLIC UTILITY, INCLUDING CITY OF BURLESON, 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 CITY OF BURLESON, 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.

8. A MINIMUM OF 1 ACRE PER RESIDENTIAL STRUCTURE IS REQUIRED FOR ON-SITE SEWAGE FACILITIES (SEPTIC SYSTEMS). IF MORE THAN ONE STRUCTURE IS PROPOSED FOR CONSTRUCTION ON A LOT IN THE FUTURE, RE-PLATTING MAY BE REQUIRED.

9. ALL BUILDING SETBACKS ARE SUBJECT TO CURRENT CITY OF BURLESON DEVELOPMENT REGULATIONS.

10. THE REQUIREMENT OF PUBLIC INFRASTRUCTURE WAS BASED ON THE UTILITY EXHIBIT DATED APRIL 24, 2024 SUBMITTED WITH THIS PLAT FOR REVIEW TO THE CITY OF BURLESON. ANY ADDITIONAL STRUCTURES PROPOSED ON THIS PROPERTY MAY REQUIRE THE EXISTING WATER LINES TO BE IMPROVED AND A FIRE HYDRANT(S) INSTALLED FOR FIRE PROTECTION PLEASE CONTACT THE CITY OF BURLESON'S DEVELOPMENT SERVICES DEPARTMENT PRIOR TO ANY DEVELOPMENT PERMIT

11. WATER PROVIDER - BETHESDA WATER SUPPLY CORP. - (817) 295-2131

2. ELECTRIC PROVIDER - UNITED COOPERATIVE SERVICES - (817) 447-9292

13. THE CITY OF BURLESON RESERVES THE RIGHT TO REQUIRE MINIMUM FINISH FLOOR ELEVATION 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.

14. FOR ALL SINGLE-FAMILY DETACHED AND DUPLEX RESIDENCES, EXCLUDING TOWNHOUSES AND APARTMENTS, FIRE HYDRANTS SHALL BE SPACED TO HAVE A FIRE HOSE LAYING DISTANCE OF NO GREATER THAN 500 FEET. THE FIRE HOSE LAYING DISTANCE IS MEASURED BY THE LAYING OF FIRE APPARATUS HOSE LINÉS ALONG THE RIGHT-OF-WAY OR ACCESS EASEMENTS FROM THE NEAREST WATER SUPPLY ON A STREET TO THE MAIN ENTRANCE OF THE BUILDING.

15. FOR COMMERCIAL BUILDINGS, FIRE HYDRANTS SHALL BE SPACED TO HAVE A FIRE HOSE LAY DISTANCE OF NO GREATER THAN 300 FEET. THE FIRE HOSE LAYING DISTANCE IS MEASURED BY THE LAYING OF FIRE APPARATUS HOSE LINES ALONG THE RIGHT-OF-WAY OR ACCESS EASEMENTS FROM THE NEAREST WATER SUPPLY ON A STREET TO THE MAIN ENTRANCE OF THE BUILDING.

16. THE MINIMUM FIRE FLOW REQUIREMENTS FOR ONE- AND TWO-FAMILY DWELLINGS HAVING A FIRE-FLOW CALCULATION AREA WHICH DOES NOT EXCEED 3,600 SQUARE FEET SHALL BE 1,500 GALLONS PER MINUTE. FIRE FLOW AND FLOW DURATION FOR DWELLINGS HAVING A FIRE-FLOW CALCULATION AREA IN EXCESS OF 3,600 SQUARE FEET SHALL NOT BE LESS THAN THAT SPECIFIED IN TABLE B 105.1 OF THE MOST CURRENT ADOPTED INTERNATIONAL FIRE CODE.

17. ALL FIRE HYDRANTS MUST PROVIDE A MINIMUM OF 35 PSI STATIC PRESSURE AND A 20 PSI RESIDUAL PRESSURE.

18. THE MINIMUM FIRE FLOW AND FLOW DURATION FOR BUILDINGS OTHER THAN ONE-AND TWO-FAMILY DWELLING SHALL BE AS SPECIFIED THE MOST CURRENT ADOPTED INTERNATIONAL FIRE CODE.

19. ALL BUILDINGS OR STRUCTURES SHALL BE CONSTRUCTED SUCH THAT ALL GROUND LEVEL, EXTERIOR SIDES OF THE BUILDING ARE WITHIN 150 FEET OF A DEDICATED STREET OR FIRE LANE. IF THE 150 FEET CANNOT BE REACHED FROM A PUBLIC STREET, A FIRE LANE CAPABLE OF SUPPORTING 80,000 LBS SHALL BE REQUIRED ON SITE AT TIME OF CONSTRUCTION.

### LEGAL DESCRIPTION

BEING A 4.280 ACRE TRACT OF LAND SITUATED IN THE HALL NEILSON SURVEY, ABSTRACT NUMBER 658, CITY OF BURLESON, JOHNSON COUNTY, TEXAS, AND BEING ALL OF LOTS 13 AND 14, BLOCK 1, TAYLOR BRIDGE ESTATES, AN ADDITION TO THE CITY OF BURLESON, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9, PAGE 363, PLAT RECORDS, JOHNSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT 13, SAME BEING THE NORTHEAST CORNER OF LOT 12, SAID BLOCK 1, AND BEING ON THE SOUTH RIGHT-OF-WAY LINE OF TAYLOR BRIDGE COURT, A 76' RIGHT-OF-WAY, AND BEING AT THE BEGINNING OF A CURVE TO THE LEFT, FROM WHICH A 1/2" CAPPED IRON ROD FOUND AT THE NORTHERNMOST CORNER OF SAID LOT 12 BEARS A CHORD BEARING AND DISTANCE OF NORTH 28 DEGREES 59 MINUTES 25 SECONDS WEST, A CHORD LENGTH OF 71.88 FEET;

THENCE 77.92 FEET, ALONG SAID SOUTH RIGHT-OF-WAY LINE AND WITH SAID CURVE TO THE CURVE TO THE LEFT, HAVING A RADIUS OF 66.00 FEET, A CENTRAL ANGLE OF 67 DEGREES 38 MINUTES 48 SECONDS, WHOSE LONG CHORD BEARS NORTH 84 DEGREES 14 MINUTES 44 SECONDS EAST, A CHORD LENGTH OF 73.48 FEET, TO A 1/2" CAPPED IRON ROD FOUND:

THENCE SOUTH 74 DEGREES 17 MINUTES 05 SECONDS EAST, CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, AT A DISTANCE OF 20.91 FEET, PASSING A 1/2" CAPPED IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID LOT 13, AND CONTINUING IN ALL 33.90 FEET, TO A 1/2" IRON ROD FOUND, BEING AT THE BEGINNING OF A CURVE TO THE LEFT;

THENCE 52.58 FEET, ALONG SAID SOUTH RIGHT-OF-WAY LINE AND WITH SAID CURVE TO THE CURVE TO THE LEFT, HAVING A RADIUS OF 580.00 FEET, A CENTRAL ANGLE OF 05 DEGREES 11 MINUTES 38 SECONDS, WHOSE LONG CHORD BEARS SOUTH 77 DEGREES 28 MINUTES 16 SECONDS EAST, A CHORD LENGTH OF 52.56 FEET, TO A 1/2" CAPPED IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID LOT 14, SAME BEING THE NORTHWEST CORNER OF LOT 15, SAID BLOCK 1, FROM WHICH A 1/2" IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID LOT 15 BEARS A CHORD BEARING AND DISTANCE OF SOUTH 83 DEGREES 10 MINUTES 46 SECONDS EAST, A DISTANCE OF 57.30

THENCE SOUTH 24 DEGREES 16 MINUTES 57 SECONDS WEST, DEPARTING SAID SOUTH LINE AND RIGHT-OF-WAY LINE AND ALONG THE EAST LINE OF SAID LOT 14, BEING COMMON WITH THE WEST LINE OF SAID LOT 15, A DISTANCE OF 740.08 FEET, TO THE SOUTHEAST CORNER OF SAID LOT 14, SAME BEING THE SOUTHWEST CORNER OF SAID LOT 15, AND BEING ON TH NORTHEAST LINE OF LOT 1, BLOCK 1, C & G HOMESITE, AN ADDITION TO JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9, PAGE 174, PLAT RECORDS, JOHNSON COUNTY, TEXAS, AND BEING IN THE APPROXIMATE CENTERLINE OF A TRIBUTARY OF QUILL MILLER CREEK:

THENCE NORTHWESTERLY, DEPARTING SAID COMMON LINE AND ALONG THE SOUTHWEST LINES OF SAID LOTS 14 AND 13, BEING COMMON WITH THE NORTHEAST LINE OF SAID LOT 1, AND WITH THE APPROXIMATE CENTERLINE OF SAID TRIBUTARY, THE FOLLOWING CALLS:

NORTH 71 DEGREES 35 MINUTES 59 SECONDS WEST, A DISTANCE OF 57.79 FEET, TO A POINT FOR CORNER;

NORTH 55 DEGREES 31 MINUTES 02 SECONDS WEST, A DISTANCE OF 174.43 FEET, TO A POINT FOR CORNER;

NORTH 16 DEGREES 49 MINUTES 58 SECONDS EAST, A DISTANCE OF 95.82 FEET, TO A POINT FOR CORNER;

NORTH 55 DEGREES 46 MINUTES 13 SECONDS WEST, A DISTANCE OF 76.18 FEET, TO A POINT FOR CORNER;

SOUTH 53 DEGREES 35 MINUTES 22 SECONDS WEST, A DISTANCE OF 69.33 FEET, TO A POINT FOR CORNER;

NORTH 49 DEGREES 24 MINUTES 33 SECONDS WEST, A DISTANCE OF 57.26 FEET, TO A THE SOUTHWEST CORNER OF SAID LOT 13, SAME BEING THE SOUTHEAST CORNER OF SAID LOT 12;

THENCE NORTH 47 DEGREES 30 MINUTES 20 SECONDS EAST, DEPARTING SAID COMMON LINE AND ALONG THE WEST LINE OF SAID LOT 13, BEING COMMON WITH THE EAST LINE OF SAID LOT 12, A DISTANCE OF 651.57 FEET, TO THE **POINT OF BEGINNING**, AND CONTAINING 4.280 ACRES OR 186,436 SQUARE FEET OF LAND, MORE OR LESS.

### APPROVED BY THE PLANNING AND ZONING COMMISSION OF BURLESON. TEXAS

CITY SECRETARY

PLAT FILED 4/5/2024 INSTRUMENT#: <u>7024</u> - <u>162</u> DRAWER  $\rho$  SLIDE CHAIR OF PLANNING AND ZONING COMMISSION APRIL LONG, JOHNSON COUNTY CLERK

D.R.J.C.T. = DEED RECORDS, JOHNSON COUNTY, TEXAS P.R.J.C.T. = PLAT RECORDS, JOHNSON COUNTY, TEXAS CC# = COUNTY CLERK'S FILE NUMBER IRF = IRON ROD FOUND

IRS = 5/8" CAPPED IRON ROD SET STAMPED "REALSEARCH"

JCSUD = JOHNSON COUNTY SPECIAL UTILITY DISTRICT

MICHAEL AND SHARON JOHNSON 437 NUTMEG AVE BURLESON, TX 76028

COUNTY CLERK, JOHNSON COUNTY, TEXAS

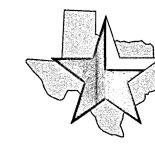
FILING BLOCK

LOT 13R

# TAYLOR BRIDGE ESTATES

BEING A REPLAT OF A LOTS 13 AND 14, TAYLOR BRIDGE ROAD, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS. PREPARED: AUGUST, 2024

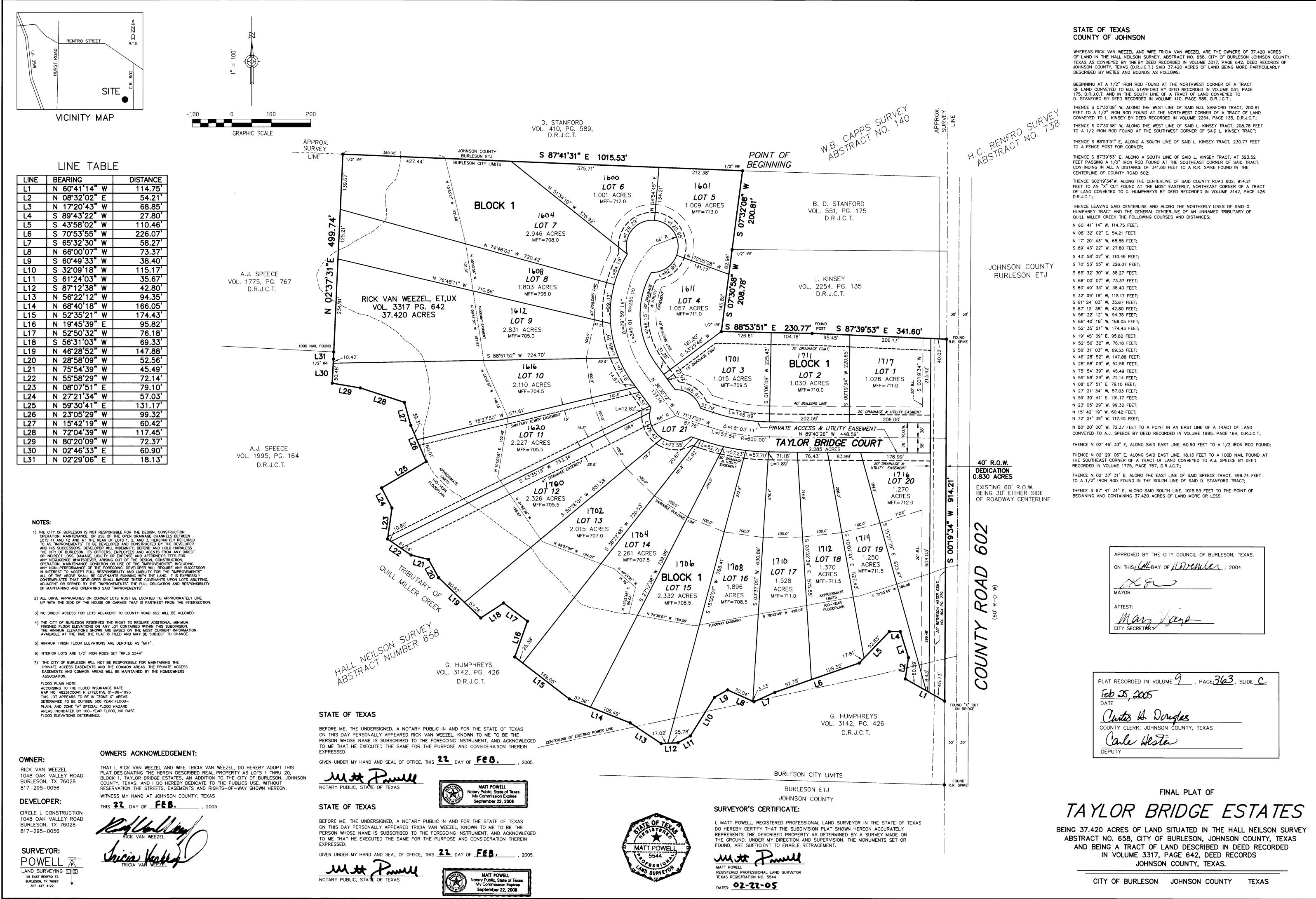
1 LOT LOCATED WITHIN THE CITY OF BURLESON, TEXAS. CASE: 24-160



-LONESTAR-LAND SURVEYING, LLC TBPELS FIRM# 10194707

3521 SW WILSHIRE BLVD., JOSHUA, TX 76058

817-935-8701 MARSHALL.MILLER@LONESTARLANDSURVEYING.COM



# BURLESON

### VACATING DECLARATION

| State of Texas 8              |   |   |   |
|-------------------------------|---|---|---|
| County of Johnson             | § Taylor Bridge Estates, Lot 13R                                    | 24-160  |   |
| County of Johnson             | g Taylor Driage Estates, 1301 121                                   |   | Known to all by these   |
| Vacating Declaration f        | or  |   |   |
|                               | he undersigned, hereby acknowledge of lots embraced by the plat num | ledge that I am (we are) the owned<br>ber 24-160 known as Taylo         | er(s)/proprietor(s) of all the land<br>or Bridge Estates, Lot 13R   |
|                               |   | pproved by the City of Burleson Pl<br>ent # 2024-162, Johnson County De | anning Commission on ed and Plat Records on September 5   |
| In accordance with V          | ernon's Texas Codes Annotated                                       | d, Local Government Code Section  | on 212.013 and the City of  |
| Burleson Code of Or           | dinances, the undersigned hereb                                     | by declare(s) such plat (or portion                                     | n of such plat as described   |
| below) known as Repl          | at of Taylor Bridge Estates; Lot                                    | 13R, Block 1, plat number 24-160  | to be vacated. (If only a   |
| portion of the plat is be     | eing vacated, describe the area be                                  | eing vacated.)  |   |
| portion described of the      | he above referenced plat) by fil                                    | ing this vacation instrument in the                                     | the above referenced plat (or the<br>e Johnson_County Deed and Plat<br>across the plat (or portion of the |
| •                             |   |   |   |
| Executed this 3 rd            | day of December, A.D.   | ., 20 <u>25</u> .   | 161   |
| By: Jo <u>se Manuel</u><br>On | Gonzalez Jr. & Alexis =<br>vner's Name Gonzalez                     | Owner's Signature   |   |
| Owners Duly                   | Authorized Agent  |   |   |
| Title:                        | I T   |   |   |
|                               |   |   |   |

| State of Texas §                     | c   |  |   |
|--------------------------------------|---|--|---|
| County of Johnso                     | s<br>on §                                 |  |   |
| Before me, the und                   | dersigned authority, a notary pul         | blic for the State of Texas, on this of be the person whose name is su | lay personally appeared Soc Fance! abscribed to the foregoing instrument, |
| and acknowledged                     | to me that he executed the san            | ne for the purpose and considerati                                     | on therein expressed. Given under my                                      |
| hand and seal of o                   | ffice, this the 3rd day of d              | ecember, 2075  |   |
| <u>bnathan</u><br>Notary Public in a | Sole Antinez<br>nd for the State of Texas |  | NA SOTO ASTRIBUTE OF STREET   |
| My commission e                      | xpires: <u>07-18-7029</u>                 |  | O STROETE N   |
|                                      |   |  | 135524 07-18-2019 IIII  |
|                                      |   |  | - Online  |
|                                      |   |  |   |
|                                      |   |  |   |
| This vacating day                    | loration for Poplet of Touler             | Bridge Estates, Lot 13R, Block 1                                       | Subdivision Plat,   |
|                                      |   | by the City of Burleson, Texas is h                                    |   |
| plat humber 24-16                    | so, sublifited to and considered          | by the City of Burieson, Texas is in                                   | creby approved.   |
| Dated this                           | day of                                    | , A.D., 20   |   |
| Ву:                                  | Chairman                                  |  |   |
| By:                                  |   |  |   |
|                                      | Secretary                                 |  |   |
| Ву:                                  |   |  |   |
| Director o                           | f Development Services                    |  |   |



#### **Planning & Zoning Commission Meeting**

**DEPARTMENT:** Development Services

FROM: Emilio Sanchez, Deputy Director

MEETING: January 13, 2026

#### SUBJECT:

420 County Road 1021(Wicker Hill) (Case 25-341): Hold a public hearing and consider and take possible action on a zoning ordinance change request from "A", Agriculture, to "SF16", Single Family Dwelling District-16. (Staff Contact: Emilio Sanchez, Deputy Director)

#### STRATEGIC PRIORITY AND GOAL(S):

| Strat | egic Priority   | Strategic Goal  |
|-------|---|---|
|       | <b>Dynamic &amp; Preferred City</b> Through Managed  Growth | 2.2 Promote sustainable residential and commercial development through strategic and long-term planning |

#### **SUMMARY:**

On November 24, 2025, an application was submitted by Marshall Miller with Lonestar Land Surveying LLC. On behalf of Andy Mullins (owner) to change the zoning of approximately 0.999 acres of land to "SF16" Single-family dwelling district 16 for the future development of a new residential home.

#### **DEVELOPMENT OVERVIEW:**

Prior to any development of the site, platting will be required (currently under review). If the zoning change request is approved, all development will have to conform to the requirements and land uses of the SF16 Single-family dwelling district 16.

Zoning and Land Use Table

|              | Zoning      | Use                |
|--------------|-------------|--------------------|
| Subject Site | Agriculture | Residential/Vacant |

| North | Agriculture | Residential |
|-------|-------------|-------------|
| East  | Agriculture | Residential |
| South | PD          | Residential |
| West  | Agriculture | Residential |

#### This site is designated in the Comprehensive Plan as Neighborhoods

This category is 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.

Staff has determined that the requested use of SF16 aligns with the Comprehensive Plan.

#### **Engineering:**

Engineering civil construction reviews and platting will be required prior to the development of the site.

#### **RECOMMENDATION:**

Recommend approval for an ordinance for the zoning change.

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

None.

#### REFERENCE:

https://ecode360.com/39938791

#### **FISCAL IMPACT:**

None.

#### **STAFF CONTACT:**

Emilio Sanchez
Deputy Director
<u>esanchez@burlesontx.com</u>
817-426-9686





# ZC Case 25-341

PRESENTED TO P&Z- 1.13.26

EMILIO SANCHEZ

DEPUTY DIRECTOR



# ZC – 420 CR 1021 (Wicker Hill Rd)

### **Location:**

420 CR 1021 (Wicker Hill Road)

## **Applicants:**

- Marshall Miller (Lonestar Land Surveying LLC. (Applicant)
- Andy Mullins (Owner)

# **Item for approval:**

Zoning Change from "A" Agricultural to "SF16" Single-family dwelling 16 district (Case 25-341).



Item A.

# **Zoning**

# A, Agricultural



# Neighborhoods









# ZC - 420 CR 1021 (Wicker Hill Rd)

### **Public Hearing Notice:**

- Public notices were mailed to property owners (based on current JCAD records) within 300 feet of subject property.
- Published in the newspaper.
- Sign Posted on the property.
- At this time staff has received no formal opposition







# ZC - 420 CR 1021 (Wicker Hill Rd)

### **Staff Recommendation:**

- Staff has determined that the requested use aligns with the Comprehensive Plan
- Staff recommends approval of the ordinance for a zoning change.







Recommend Approval

Recommend Denial



# Questions / Comments

Emilio Sanchez
Deputy Director
<u>esanchez@burlesontx.com</u>
817.426.9686

#### 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 0.999 ACRE TRACT OF LAND SITUATED IN THE H.G. CATLETT SURVEY, ABSTRACT NUMBER 179, CITY OF BURLESON, JOHNSON COUNTY, TEXAS, AND BEING ALL OF A CALLED 1 ACRE TRACT OF LAND DESCRIBED BY DEED TO ANDREW BERT MULLINS, RECORDED IN COUNTY CLERK'S INSTRUMENT NUMBER 2025-16848 (AS DESCRIBED IN COUNTY CLERK'S INSTRUMENT NUMBER 2012-7191), DEED RECORDS, JOHNSON COUNTY, TEXAS, FROM "A" AGRICULTURE TO "SF16" SINGLE-FAMILY DWELLING DISTRICT 16; 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 <u>Marshall Miller</u> on behalf of Andy Mullins on <u>November 24, 2025</u>, under <u>Case Number 25-341</u>, 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  $\underline{\mathbf{0}}$  to recommend approval to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classifications of  $\underline{\mathbf{Agriculture}}$  (A) to  $\underline{\mathbf{Single-family dwelling district 16 (SF16)}}$ ; 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 MAP AND ZONING AMENDMENT

The Official Zoning Map is hereby amended insofar as it relates to certain land located in Burleson, Texas, described on the legal description attached as **Exhibit A**, by changing the zoning of said property from A, Agricultural district to the SFE, Single-family estate district for residential development.

#### **Section 2**

The property shall be developed and used in accordance with the applicable provisions of the City of Burleson, Code of Ordinances.

#### Section 3.

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 4.

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 5.

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 6.

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 7.

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 8.

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 9.

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

| First and Final Reading: the _ | day of, 20                                       |
|--------------------------------|--|
|                                | Chris Fletcher, Mayor<br>City of Burleson, Texas |
| ATTEST:                        | APPROVED AS TO FORM:                             |
| Amanda Campos, City Secretary  | E. Allen Taylor, Jr., City Attorney              |

#### **EXHIBIT "A"**

#### LEGAL DESCRIPTIONS:

**BEING** A 0.999 ACRE TRACT OF LAND SITUATED IN THE H.G. CATLETT SURVEY, ABSTRACT NUMBER 179, CITY OF BURLESON, JOHNSON COUNTY, TEXAS, AND BEING ALL OF A CALLED 1 ACRE TRACT OF LAND DESCRIBED BY DEED TO ANDREW BERT MULLINS, RECORDED IN COUNTY CLERK'S INSTRUMENT NUMBER 2025-16848 (AS DESCRIBED IN COUNTY CLERK'S INSTRUMENT NUMBER 2012-7191), DEED RECORDS, JOHNSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** AT A 1/2" IRON ROD FOUND AT THE WESTERNMOST CORNER OF SAID CALLED 1 ACRE TRACT, SAME BEING THE SOUTHERNMOST CORNER OF A CALLED 1.0 ACRE TRACT OF LAND DESCRIBED BY DEED TO RONALD WAYNE BULLARD AND JULIA DARLENE BULLARD, RECORDED IN VOLUME 1545, PAGE 823, DEED RECORDS, JOHNSON COUNTY, TEXAS, AND BEING IN THE APPROXIMATE CENTERLINE OF WICKER HILL ROAD (COUNTY ROAD 1021), A PRESCRIPTIVE RIGHT-OF-WAY, FROM WHICH A 1/2" IRON ROD FOUND AT THE WESTERNMOST CORNER OF SAID BULLARD TRACT BEARS NORTH 44 DEGREES 47 MINUTES 42 SECONDS WEST, A DISTANCE OF 176.05 FEET;

THENCE NORTH 42 DEGREES 06 MINUTES 37 SECONDS EAST, ALONG THE NORTHWEST LINE OF SAID CALLED 1 ACRE TRACT, BEING COMMON WITH THE SOUTHEAST LINE OF SAID BULLARD TRACT, A DISTANCE OF 246.80 FEET, TO A 1/2" IRON ROD FOUND AT THE NORTHERNMOST CORNER OF SAID CALLED 1 ACRE TRACT, SAME BEING THE EASTERNMOST CORNER OF SAID BULLARD TRACT, AND BEING ON THE SOUTHEAST LINE OF A CALLED 2.85 ACRE TRACT OF LAND DESCRIBED IN SAID BULLARD DEED;

THENCE SOUTH 45 DEGREES 09 MINUTES 47 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID CALLED 1 ACRE TRACT, BEING COMMON WITH THE SOUTHWEST LINE OF SAID CALLED 2.85 ACRE TRACT, A DISTANCE OF 175.16 FEET, TO A 1/2" IRON ROD FOUND AT THE EASTERNMOST CORNER OF SAID CALLED 1 ACRE TRACT, SAME BEING THE SOUTHERNMOST CORNER OF SAID CALLED 2.85 ACRE TRACT, AND BEING ON THE NORTHWEST LINE OF A CALLED 3.035 ACRE TRACT OF LAND DESCRIBED BY DEED TO JOHN K. BROWN AND OLIVIA BROWN, RECORDED IN VOLUME 792, PAGE 643, DEED RECORDS, JOHNSON COUNTY, TEXAS;

THENCE SOUTH 41 DEGREES 33 MINUTES 37 SECONDS WEST, DEPARTING SAID COMMON LINE AND ALONG THE SOUTHEAST LINE OF SAID CALLED 1 ACRE TRACT, BEING COMMON WITH THE NORTHWEST LINE OF SAID CALLED 3.035 ACRE TRACT, AT A DISTANCE OF 227.84 FEET, PASSING A 1/2" IRON ROD FOUND FOR REFERENCE AND CONTINUING IN ALL 247.25 FEET, TO A COTTON SPINDLE SET AT THE SOUTHERNMOST CORNER OF SAID CALLED 1 ACRE TRACT, SAME BEING THE WESTERNMOST CORNER OF SAID CALLED 3.035 ACRE TRACT, AND BEING IN THE

APPROXIMATE CENTERLINE OF SAID WICKER HILL ROAD, FROM WHICH A 60-D NAIL FOUND BEARS FOR REFERENCE SOUTH 45 DEGREES 09 MINUTES 20 SECONDS EAST, A DISTANCE OF 1114.19 FEET;

**THENCE** NORTH 45 DEGREES 03 MINUTES 29 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID CALLED 1 ACRE TRACT AND WITH SAID CENTERLINE, A DISTANCE OF 177.55 FEET, TO THE **POINT OF BEGINNING**, AND CONTAINING 0.999 ACRES OR 43,501 SQUARE FEET OF LAND, MORE OR LESS.



#### **Planning & Zoning Commission Meeting**

**DEPARTMENT:** Development Services

FROM: Emilio Sanchez, Deputy Director

MEETING: January 13, 2026

#### SUBJECT:

275 County Road 714 (Case 25-324): Hold a public hearing and consider and take possible action on a zoning ordinance change request from "PD", Planned Development, to "PD", Planned Development. (Staff Contact: Emilio Sanchez, Deputy Director)

#### STRATEGIC PRIORITY AND GOAL(S):

| Strat | egic Priority   | Strategic Goal  |
|-------|---|---|
|       | <b>Dynamic &amp; Preferred City</b> Through Managed  Growth | 2.2 Promote sustainable residential and commercial development through strategic and long-term planning |

#### **SUMMARY:**

On November 10, 2025, an application was submitted by Tim Windmiller, on behalf of Burleson Pecan Grove, LLC. & Graham Hart/GHHB, LLC. (owners) to amend the existing Planned Development language on approximately 34.49 acres of land to "PD" Planned Development for amendments to the development standards for the continued development of a residential neighborhood.

#### **DEVELOPMENT OVERVIEW:**

As stated above, this site is zoned as a Planned Development for the use as a single-family subdivision. The developers propose amendments to the existing Planned Development standards to ease the construction of residential homes on lots that have atypical geometry and create difficulties in meeting the adopted standards. The proposed changes omit section 2.A, 2.C, 2.E, 2.F and all of Section 3 (Architectural, Dimensional and Density Controls) from the approved Planned Development standards attached as Exhibit 4. The amended development standards align closely with the Single-family dwelling district-7 (SF7) standards. The table below compares the proposed standards to the Single-family district-7 (SF7).

**Development Area Standards Comparison Table** 

| •  | <b>'</b>  |
|--|---|
| Proposed PD Standards  | SF7 Standards   |
| Density: 4.25 residential dwelling units per acre                            | Density: 4.25 residential dwelling units per acre                             |
| Lot Size: 7,000 SF minimum   | Lot Size: 7,000 SF minimum  |
| Floor Area: 1,600 SF minimum   | Floor Area: 1,100 SF minimum or 1,250 SF for all lots platted after 11.1.2003 |
| Front Setback: Twenty-five feet (25'-0") minimum from lot line               | Depth of front yard: 25 feet minimum  |
| Rear Setback: Ten feet (10'-0") minimum from lot line                        | Depth of rear yard: Ten feet minimum  |
| Side Setback: Five feet (5'-0") minimum from lot line                        | Width of side yard: Five feet minimum   |
| Width of side setback adjacent to side street: Fifteen feet (15'-0") minimum | Width of side yard adjacent to side street: 15 feet minimum                   |
| Width of Lot: 60 feet minimum  | Width of lot: 60 feet minimum   |
| Depth of lot: 100 feet minimum   | Depth of lot: 100 feet minimum  |

# This site is designated in the Comprehensive Plan as Neighborhoods and Future Development

This category is 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.

Staff has determined that the requested use of Planned Development "PD" for single-family residential aligns with the Comprehensive Plan.

#### **RECOMMENDATION:**

Recommend approval for an ordinance for the zoning change.

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

11/12/2018: City Council approved a voluntary annexation petition or this property.

Item B.

<u>11/12/2018:</u> City Council approved Planned Development zoning request for this property.

<u>8/03/2020</u>: City Council approved an amended Planned Development zoning request for this property.

9/20/2021: City Council approved the final plat for the Pecan Grove subdivision.

<u>4/29/2022</u>: Staff approved an amending plat for the Pecan Grove subdivision.

3/24/2025: City Council approved a parks plan for the Pecan Grove Planned Development.

#### **REFERENCE:**

https://ecode360.com/39938869

https://ecode360.com/39939152

#### **FISCAL IMPACT:**

None.

#### **STAFF CONTACT:**

Emilio Sanchez
Deputy Director
<u>esanchez@burlesontx.com</u>
817-426-9686





# ZC Case 25-324

PRESENTED TO P&Z- 1.13.26

EMILIO SANCHEZ

DEPUTY DIRECTOR



# ZC - 275 CR 714

### **Location:**

**275 CR 714** 

### **Applicants:**

- Tim Windmiller (Applicant)
- Burleson Pecan Grove, LLC. (Owner)
- Graham Hart/GHHB. LLC. (Owner)

### **Item for approval:**

Zoning Change from "PD" Planned Development to "PD" Planned Development (Case 25-324).



Item B.

# Comprehensive Plan BURLESON

# Neighborhoods



# **Zoning**

# PLANNED DEVELOPMENT







# ZC - 275 CR 714

## **Development Area Standards Comparison Table**

| Proposed PD Standards   | SF7 Standards   |
|---|---|
| Density: 4.25 residential dwelling units per acre                               | Density: 4.25 residential dwelling units per acre                             |
| Lot Size: 7,000 SF minimum  | Lot Size: 7,000 SF minimum  |
| Floor Area: 1,600 SF minimum  | Floor Area: 1,100 SF minimum or 1,250 SF for all lots platted after 11.1.2003 |
| Front Setback: Twenty-five feet (25'-0") minimum from lot line                  | Depth of front yard: 25 feet minimum  |
| Rear Setback: Ten feet (10'-0") minimum from lot line                           | Depth of rear yard: Ten feet minimum  |
| Side Setback: Five feet (5'-0") minimum from lot line                           | Width of side yard: Five feet minimum   |
| Width of side setback adjacent to side street:<br>Fifteen feet (15'-0") minimum | Width of side yard adjacent to side street: 15 feet minimum                   |
| Width of Lot: 60 feet minimum   | Width of lot: 60 feet minimum   |
| Depth of lot: 100 feet minimum  | Depth of lot: 100 feet minimum  |





# ZC - 275 CR 714

### **Public Hearing Notice:**

- Public notices were mailed to property owners (based on current JCAD records) within 300 feet of subject property.
- Published in the newspaper.
- Sign Posted on the property.
- At this time staff has received no formal opposition



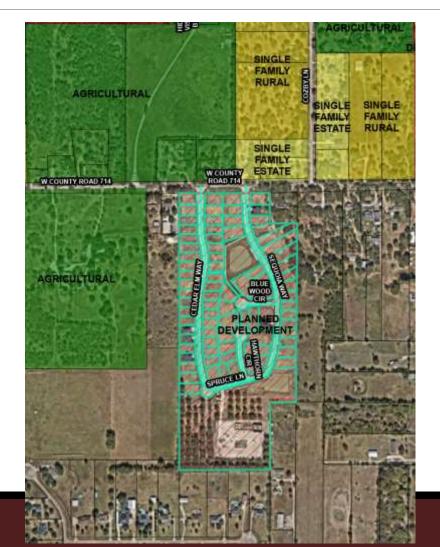




## ZC - 275 CR 714

### **Staff Recommendation:**

- Staff has determined that the requested use aligns with the Comprehensive Plan
- Staff recommends approval of the ordinance for a zoning change.







Recommend Approval

Recommend Denial



## Questions / Comments

Emilio Sanchez
Deputy Director
<u>esanchez@burlesontx.com</u>
817.426.9686

#### Ordinance

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 34.49 ACRES LOCATED IN DAVID CLARK SURVEY, ABSTRACT NO. 138 (THE ZONING AREA), CITY OF BURLESON, JOHNSON COUNTY, TEXAS, FROM "PD", PLANNED DEVELOPMENT ZONING DISTRICT (PECAN GROVE); MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; 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 <u>Tim Windmiller representing</u> <u>Burleson Pecan Grove, LLC. & Graham Hart/GHHB, LLC.</u> on <u>November 10, 2025</u>, under <u>Case Number 25-324</u>, 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 **X** to **0** to recommend approval to the City Council of Burleson, Texas, that the hereinafter described property be rezoned from its classifications of **Planned Development (PD)** 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 **Planned Development (PD)** 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**

- A. That the Official Zoning Map is hereby amended insofar as it relates to certain land located in Burleson, Texas, as shown by the Legal Description attached as Exhibit A and Exhibit B (the Zoning Area), incorporated herein by reference, by changing the zoning of said property from an existing Planned Development Zoning, to a Planned Development district for Single Family Detached residential use, with the area and location for such uses being depicted on the Concept Plan as shown on the attached Exhibit B incorporated herein by reference.
- B. All development occurring within the boundaries of the Zoning Area shall conform to all applicable land use and development requirements prescribed in the City of Burleson, Texas, Code of Ordinances, with additional restrictions and regulations provided herein.

## SECTION 2 DEVELOPMENT STANDARDS

- A. The design and location of residential lots, drainage areas, open space, common areas and park land shall substantially conform to the Concept Plan as shown on the attached Exhibit C incorporated herein by reference.
  - 1. A six foot (6') high wrought iron type fence with stone columns 2 foot by 2 foot with a 30-inch cap constructed along rear and side lot lines that share a common property line with any designated open space, common areas or corner lots. Stone columns are to be staged equally between fence sections +/-every 35 feet. Such fences shall not encroach into the required front yard setback of any lot, and shall only be (and remain) painted black in a powder coated finish or equivalent type of finish. No structural or decorative attachments, other than vegetative landscaping, shall be constructed or applied to any surface of such fences.
  - 2. A minimum 6-foot-high masonry wall shall be constructed adjacent to CR 714.
- B. Development shall include landscaping and open spaces that are planned and coordinated throughout the development. Any common area or open space dedicated and used for private purposes shall be maintained by a mandatory home owner's association.
- C. Height Requirements; No building shall exceed 2 1/2 stories except as permitted by section 133, general height requirements.
- D. Development Area Standards. The following regulations apply to all uses.
  - 1. Density: 4.25 residential dwelling units per acre.
  - 2. Lot size: 7,000 square feet minimum.
  - 3. Floor area: 1,600 square feet minimum.
  - 4. Front setback: Twenty-five feet (25'-0") minimum from lot line.
  - 5. Rear setback: Ten feet (10'-0") minimum from lot line.
  - 6. Side Setback: Five feet (5'-0") minimum from lot line.
  - 7. Width of side setback adjacent to side street: Fifteen feet (15'-0") minimum.
  - 8. Width of lot: 60 feet minimum.
  - 9. Depth of lot: 100 feet minimum.
- E. Off-street loading.

None.

#### Section 3.

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 4.

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 5.

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 6.

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 7.

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 8.

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 9.

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

| PASSED AND APPROVE             | ED:   |        |   |               |
|--------------------------------|-------|--------|---|---------------|
| First and Final Reading:       | the   | day of |   | , 20          |
|                                |       |        | Chris Fletcher, Mayo<br>City of Burleson, Tex |               |
| ATTEST:<br>APPROVED AS TO FORM | И:    |        |   |               |
| Amanda Campos, City Secr       | etary |        | E. Allen Taylor, Jr., (                       | City Attorney |

#### **EXHIBIT "A"**

#### **Legal Description**

Being all that certain tract of land lying in the David Clark Survey, Abstract Number 138, Johnson County, Texas, and being a part of a tract of land described in a deed to L.W. Investments, LLC, recorded in Instrument Number 2018-13880, Deed Records, Johnson County, Texas, and being a part of a tract of land described in a deed to Lawrence A. Whaley and Marsha J. Whaley, recorded in Instrument Number 2010-17495, of said Deed Records, and being more particularly described by metes and bounds as follows;

BEGINNING at a ¼ inch iron rod found, being the Northwest corner of Lot 14, Block 1, Russell Farms Estates, recorded in Volume 8, Page 456, Slide B, Plat Records, Johnson County, Texas, and being in the East line of Lot 15 of said Block 1, same being the Southwest corner of said L.W. Investments, LLC tract:

THENCE North 00 Degrees 01 Minutes 11 Seconds East, 865.87 feet to a ¼ inch iron rod found for the Northeast corner of a tract of land described in a deed to John B. Voegele and Renee B. Voegele, recorded in Instrument Number 11912, Official Public Records, Johnson County, Texas, same being the Southeast corner of a Iracl of land described in a deed to Francis J. Beck and Lois E. Beck, recorded in Volume 1219, Page 657, Real Records, Johnson County, Texas;

THENCE North 00 Degrees 03 Minutes 52 Seconds West with the common fine between the herein described tract and said Back Iract, 808.47 feet to a ½ Inch Iron rod found, being the Southeast corner of a tract of land described in a deed to Dustin R. Moore and Britney N. Moore, recorded in Instrument Number 2015-16405, of said Public Records;

THENCE North 00 Degrees 05 Minutes 38 Seconds West with the East line of said Moore tract, 290,97 feet to a point for corner, being the Northwest corner of the herein described tract;

THENCE North 89 Degrees 52 Minutes 20 Seconds East, 844.09 feet to a point for corner on the West line of said Whaley fract, being the most Northerly Northeast corner of the herein described tract.

THENCE South 00 Degrees 03 Minutes 29 Seconds East, 219.35 feet to a point for corner, being a roontrant for the herein described tract;

THENCE North 89 Degrees 47 Minutes 47 Seconds East, 193.01 feet to a point for corner on the East line of sald Whaley Iract and on the West line of a fract of land described in a deed to Frances C. Wheat, recorded in Instrument Number 2012-19321, of said Deed Records, being the most Easterly Northeast corner of the herein described tract.

THENCE South 00 degrees 22 Minutes 18 Seconds West with the West line of said Wheat tract and the

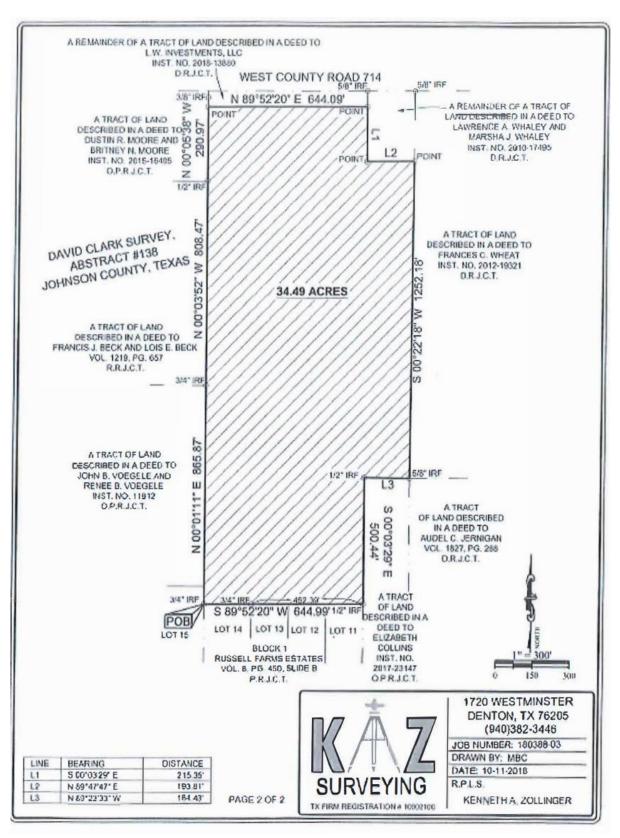
East line of said Whaley tract, 1252.18 feet to a 5/8 inch iron rod found, being the Northwest corner of a tract of land described in a deed to Audel C. Jernigan, recorded in Volume 1827, Page 288, of said Deed Records, same being the Northeast corner of a tract of land described in a deed to Elizabeth Collins, recorded in Instrument Number 2017-23147, of said Public Records;

THENCE North 89 Degrees 23 Minutes 33 Seconds Wost with the North line of said Collins tract and the South line of said Whaley tract, 184.43 feet to a ½ inch iron rod found, being the Northwest corner of said Whaley tract and being a reentrant for the herein described tract:

THENCE South 00 Degrees 03 Minutes 29 Seconds East with the West line of said Collins tract, 500.44 feet to a ½ inch iron rod found for the Southeast corner of said L.W. Investments, LLC tract, and being the Northeast corner of Lot 11 of said Block 1, same being the most Southerly Southeast corner of the herein described tract:

THENCE South 89 Degrees 52 Minutes 20 Seconds West with the South line of said L.W. Investments, LLC tract, at 452.39 feet passing a ¼ inchiron rod found, and continuing for a total distance of 644.89 feet to the PLACE OF BEGINNING, containing 34.49 acres of land more or less.

**EXHIBIT "B"** 



**EXHIBIT "C"** 



#### **ORDINANCE**

AN ORDINANCE AMENDING ORDINANCE B-582, THE ZONING ORDINANCE OF THE CITY OF BURLESON, TEXAS, BY AMENDING THE OFFICIAL ZONING MAP AND BY AMENDING PLANNED DEVELOPMENT ZONING ORDINANCE CSO#932-11-2018 OF APPROXIMATELY 34.49 ACRES LOCATED IN DAVID CLARK SURVEY, ABSTRACT NO. 138 (THE ZONING AREA), CITY OF BURLESON, JOHNSON COUNTY, TEXAS,; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR 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, an application for a zoning request was submitted by L.W. Investments, LLC on September 24, 2018, under Case Number 18-122; and

WHEREAS, an application to amend the Planned Development was filed by John Cornelsen with Evolving Texas on behalf of Windmiller Properties, Property Owner, on February 10, 2020 under Case Number 20-013; and

WHEREAS, the City of Burleson has complied with the notification requirements of the Texas Local Government Code and the Burleson Zoning Ordinance; and

WHEREAS, the City Council and Planning and Zoning Commission have held a public hearing;

WHEREAS, the Planning and Zoning Commission made a recommendation on the proposed amendment; and

WHEREAS, the City Council has determined that the proposed zoning ordinance amendment is in the best interest of the City of Burleson; and

WHEREAS, the City Council may consider and approve certain ordinances or ordinance amendments at only one meeting in accordance with Section 2-4 of the Code of Ordinances of the City of Burleson; and

WHEREAS, the City Council 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 Code of Ordinances of the City of Burleson.

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

#### Section 1.

That the Official Zoning Map is hereby amended insofar as it relates to certain land located in Burleson, Texas, as shown by the Legal Description attached as Exhibit A (the Zoning Area), incorporated herein by reference, to a Planned Development district for Single Family Detached residential use, with the area and location for such uses being depicted on the Concept Plan as shown on the attached Exhibit B incorporated herein by reference.

All development occurring within the boundaries of the Zoning Area shall conform to all applicable land use and development requirements prescribed in the City of Burleson, Texas, Code of Ordinances, with additional restrictions and regulations provided herein.

## Section 2. SUBDIVISION DESIGN

- A. The developer is providing approximately 8.25 acres of open space that will include a playground area, pond with fountain, and small dog park and shall be credited towards the parkland dedication requirement of 0.81 acres. The parkland development fee of \$24,300 dollars (81 lots x \$300 per lot) may be credited towards proposed improvements within the Pecan Grove gated community. A detailed plan including renderings of the proposed improvements with associated estimated costs shall be submitted to the Department of Parks and Recreation for review and shall be presented to the City Council for consideration and approval prior to release of the civil construction plans. Commercial grade playground equipment shall be purchased and installed by an approved vendor. All improvements proposed within the open space areas included on Exhibit B shall be constructed and accepted by the city prior to final acceptance of the infrastructure in the subdivision. The HOA shall be responsible for all maintenance of the open space and associated improvements. Prior notification and plan acceptance for any modifications of the area designated as a dog park must be provided to staff for City approval.
- B. The design and location of residential lots, drainage areas, open space, common areas and park land shall substantially conform to the Concept Plan as shown on the attached Exhibit B incorporated herein by reference.
  - 1. A six foot (6') high wrought iron type fence with stone columns 2 foot by 2 foot with a 30-inch cap constructed along rear and side lot lines that share a common property line with any designated open space, common areas or corner lots. Stone columns are to be staged equally between fence sections +/- every 35 feet. Such fences shall not encroach into the required front yard setback of any lot, and shall only be (and remain) painted black in a powder

- setback of any lot, and shall only be (and remain) painted black in a powder coated finish or equivalent type of finish. No structural or decorative attachments, other than vegetative landscaping, shall be constructed or applied to any surface of such fences.
- 2. A minimum 6-foot-high masonry wall shall be constructed adjacent to CR 714 and will not exceed 8 feet in height.
- C. The Zoning Area should have at least two points of access for traffic distribution. Second point of access may be utilized for emergency purposes only and shall be a minimum of 24 foot in width and constructed to fire lane standards or equivalent and approved by the fire marshal.
- D. Development shall include landscaping and open spaces that are planned and coordinated throughout the development. Any common area or open space dedicated and used for private purposes shall be maintained by a mandatory home owners association.
- E. In lieu of the City's landscape ordinance requirement for front yard trees, street trees in accordance with the attached landscape plan (Exhibit F):
  - i. Street Trees will be provided within a 6-foot wide tree lawn and shall be centered within the tree lawn.
  - ii. Street trees shall be planted in accordance with Exhibit F, but each lot shall have a minimum of one tree.
  - iii. Street trees will only be selected from the following: Live Oak, Red Oak, Chinese Pastiche, Lace Bark Elm, and Thornless Honey Locust.
  - iv. The minimum spacing between trees will be 30 feet.
  - v. For any corner lots requirements refer to the landscape plan included within this ordinance as Exhibit F.
  - vi. Street trees shall be maintained by the HOA and kept trimmed above the roadway.
  - vii. Trees must be 3" caliper at time of planting.
- F. Corner lots on any block face shall have front yards described below and as shown on Exhibit D incorporated herein by reference.
  - 1. Back to back corner lots (lots with rear yards that abut each other) shall each have one front yard.
  - 2. A corner lot with a rear yard that abuts the front yard of another lot shall have a front yard along both street corner frontages. The remaining yards are side and rear yards.

## Section 3. ARCHITECTURAL, DIMENSIONAL AND DENSITY CONTROLS

- A. The Zoning Area shall offer a variety of single family housing and lot types in a variety of sizes in conformance with the density and dimensional standards shown on the attached Exhibit C, Density and Dimensional Table, incorporated herein by reference, with certain standards being more particularly described below.
- B. A Traditional Neighborhood Design (TND) Plan shall be established for the Zoning Area. <u>Traditional Neighborhood Development or TND</u> is an area designated with unique development characteristics that:
  - 1. Is comprised of architecturally significant design themes;
  - 2. Utilizes traditional masonry, stone or other exterior building products, such as cementitious fiber board;
  - 3. Reflects historic architecture or modern interpretations of historic architecture applicable to the region, such as Mediterranean, Texas Prairie, Craftsman, Bungalow, Modern Farmhouse, Prairie Modern, Tudor, Modern, Victorian or other significant architecture found throughout history, as long as it is used for the purpose of achieving a distinctive or definitive architectural style consistent with the provisions of this Ordinance. Acceptable and non-acceptable examples of this architectural style are shown in the attached Exhibit E incorporated herein by reference; and
  - 4. The building design principles employed in achieving the TND architectural concept shall include the following schematic features:
    - a. Building design shall exhibit articulated wall planes with sufficient wall plane fenestration and ornamentation to avoid a flat, unarticulated visual appearance. All garage doors on front facing buildings shall be of decorative carriage style doors.
    - b. For all lots 65-feet in width, single two-car garage doors are prohibited on front facing garages. For front facing garages on 65-foot-wide lots, the setback shall be 20-feet. Minimum setback for J-swing type garages shall be 15-feet.
    - c. For lots 75 foot in width or greater, front entry garages shall be prohibited within 50-feet from the fronting street right-of-way (interior lots).
    - d. Any detached garages shall be front facing and shall be a minimum of 50-feet from the fronting street right-of-way.
- C. The use of cementitious fiber board siding and engineered wood siding (with at least a 20-year warranty), stone and masonry, shall be allowed for residential structures

designed with a distinctive and articulated building design that is based on an historic architectural style for residential design.

- 1. A "Masonry TND Residence" shall be defined as one constructed with brick or stone masonry that consumes 100 percent (100%) of an exterior wall surface for the first floor, or a collective series of exterior wall surfaces, composing a front and/or side façade. The second floor facades shall be constructed with brick or stone masonry for at least sixty percent (60%) of the exterior wall surface. Cementitious fiber board siding or engineered wood siding may comprise the remainder forty percent (40%) of the of the exterior wall surface that is fitting of architectural style
- 2. A "Siding TND Residence" shall be defined as one constructed entirely with cementitious fiber board siding or engineered wood siding. The use of brick or stone masonry shall not consume more than thirty percent (30%) of an exterior wall surface, or a collective series of exterior wall surfaces, composing a front and/or side façade.
- 3. A "Three-phase TND Residence" shall be defined as one constructed entirely with three-phase stucco or engineered wood siding. The use of brick or stone masonry shall not consume more than sixty percent (60%) of an exterior wall surface, or a collective series of exterior wall surfaces, composing a front and/or side façade.
- 4. The developer/builder reserves the right to construct either the "Masonry" or "Siding" styled residences for any quantity or proportion of lots within the Zoning Area as shown on the Concept Plan attached as Exhibit B to this Ordinance.
- D. Minimum roof pitch for single family detached structures to be 4:12 for all roof structures covering main (climate controlled) living areas, to be determined per architectural style. Flat or lower sloped roofs shall be allowed on modern architectural styles.
- E. A minimum roof pitch of 3:12 shall be permitted for front yard porches. This provision applies to both single family detached and single family attached structures.
- F. An alternate design standard may be utilized for any building within this Planned Development as long as the architectural style meets the above requirements in Section 3A 3E. The required masonry coverage percentage may be reduced to 50 percent (50%) of the total exterior walls of all stories of the structure meet the design requirements below.
  - 1. Primary residential building utilizes at least two of the following design features to provide visual relief along the front of the residence:

- a. A covered front porch of a unified architectural design. The front porch shall have a minimum area of 72 square feet, with a minimum depth of six (6) feet. The front porch shall face the street.
- b. Architectural pillars or posts. The pillars or posts shall be round, square, or tapered, and shall have a minimum diameter or diagonal dimension of six (6) inches.
- c. Two or more dormer windows on the front elevation of the structure.
- d. Two or more roof gables on the front elevation of the structure.
- e. One bay window with a minimum 24-inch projection.
- f. One box window with a minimum 12-inch projection.
- 2. The minimum roof pitch of the dwelling shall be at least 6:12. The roof pitch over a front porch may be a minimum of 3:12.
- 3. The garage doors of front-facing garages shall be recessed from the front plane of the structure by at least five (5) feet. This requirement applies to both attached and detached garages. This requirement does not apply to garages that face a side street on a corner lot, front-swing or side-entry garages, or those that face a rear property line.

#### 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.

The recitals set forth above are incorporated into the body of this ordinance as if fully set forth herein.

#### Section 6.

That 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 7.

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 8.

Any complaint, notice, notice of violation, action, cause of action, hearing request, appeal, or claim which prior to the effective date of this ordinance that has been initiated or arisen under or pursuant to any other ordinance(s) shall continue to be governed by the provision of that ordinance or ordinances, and for that purpose that ordinance or ordinances shall be deemed to remain and shall continue in full force and effect.

#### Section 9.

Any person, firm, association of persons, company, corporation, or their agents, 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 10.

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

#### PASSED AND APPROVED:

ATTEST: APPROVED AS TO FORM & LEGALITY:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

EXHIBIT A (Page 1 of 2)

BY: MATT RIBITZLI DEPUTY CITY ATTORNEY

LEGAL DESCRIPTION OF PROPERTY (The Zoning Area)

**EXHIBIT A** (Page 1 of 2) LEGAL DESCRIPTION OF PROPERTY (The Zoning Area)

#### LEGAL DESCRIPTION

A TRACT OF LAND SITUATED IN THE JAMES W. HENDERSON SURVEY, ABSTRACT NO. 376, CITY OF BURLESON, JOHNSON COUNTY, TEXAS, BEING ALL OF HERITAGE VILLAGE PHASE 1 AS PER THAT PLAT RECORDED IN VOLUME 10, PAGE 584, PLAT RECORDS JOHNSON COUNTY TEXAS, TOGETHER WITH ALL OF THAT TRACT OF LAND CONVEYED TO R.A. DEVELOPMENT, LTD. BY DEED RECORDED IN INSTRUMENT NO. 30303, DEED RECORDS, JOHNSON COUNTY, TEXAS, TOGETHER WITH ALL OF THAT TRACT OF LAND CONVEYED TO R.A. DEVELOPMENT, LTD. BY DEED RECORDED IN INSTRUMENT NO. 27638, DEED RECORDS, JOHNSON COUNTY, TEXAS, AND TOGETHER WITH ALL OF THAT TRACT OF LAND CONVEYED TO THE CITY OF BURLESON BY DEED RECORDED IN INSTRUMENT NO. 3228, DEED RECORDS, JOHNSON COUNTY, TEXAS (D.R.J.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT A 1/2" IRON ROD FOUND WITH CAP STAMPED "CSI" IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF PINE STREET (50' R-O-W);

THENCE, N 43\*57'26'51" W, 57.12 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE, N 46°02'34" E, 50.00 FEET TO A 60D NAIL FOUND FOR CORNER, BEING IN THE EXISTING NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID PINE STREET;

THENCE, N 43°57'26" W, ALONG THE EXISTING NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID PINE STREET, 160.57 FEET TO A 5/8" IRON ROD FOUND FOR CORNER, BEING THE SOUTHWEST CORNER OF LOT 22, THE GARDENS ACCORDING TO THE PLAT RECORDED IN VOLUME 488, PAGE 911, D.R.J.C.T.;

THENCE, N 44\*59'00" E, ALONG THE NORTHWESTERLY LINE OF SAID HERITAGE VILLAGE PHASE 2, 1611.23 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE S 88\*11'26" E, ALONG THE NORTH LINE OF SAID HERITAGE VILLAGE PHASE 2, 81.72 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 200.00 FEET AND A LONG CHORD BEARING S21\*28'28", 302.60 FEET;

THENCE, ALONG SAID CURVE TO THE RIGHT, PASSING THROUGH A CENTRAL ANGLE OF 98\*18'53" AN ARC LENGTH OF 343.18 FEET TO A 1/2" IRON ROD FOUND FOR CORNER, BEING THE BEGINNING OF A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 135.00 FEET AND A LONG CHORD BEARING S 57\*48'27" E, 59.93 FEET;

THENCE, ALONG SAID CURVE TO THE LEFT, PASSING THROUGH A CENTRAL ANGLE OF 25°38'55" AN ARC LENGTH OF 60.43 FEET TO A 1/2" IRON ROD FOUND FOR CORNER:

THENCE, S44°59'00"W, 86.14 FEET TO A 1/2" IRON ROD WITH A RED CAP STAMPED "CSI" SET FOR CORNER;

THENCE S 45°01'00", 91.75 FEET TO A 1/2" IRON ROD WITH A RED CAP STAMPED "CSI" SET FOR CORNER;

THENCE S 09\*44'04" W, 254.78 FEET TO A 1/2" IRON ROD FOUND, BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 600.00 FEET AND A LONG CHORD BEARING S09\*41'58", 92.17 FEET;

THENCE, ALONG SAID CURVE TO THE LEFT, PASSING THROUGH A CENTRAL ANGLE OF 100°21'54" AN ARC LENGTH OF 105.10 FEET TO A 1/2" IRON ROD FOUND;

THENCE S 09°44'04" W ALONG SAID EASTERLY LINE, A DISTANCE OF 1282.10 FEET TO A 1/2" IRON FOUND FOR THE MOST NORTHEASTERLY CORNER OF SAID R.A. DEVELOPMENT TRACT AS RECORDED IN INSTRUMENT NO. 30303 (D.R.J.C.T.);

#### **EXHIBIT A** (Page 2 of 2) LEGAL DESCRIPTION OF PROPERTY

(The Zoning Area)

THENCE S 09'39'49" W ALONG SAID EASTERLY LINE, A DISTANCE OF 315.04 FEET TO A 1/2" IRON FOUND FOR THE MOST SOUTHEASTERLY CORNER OF SAID R.A. DEVELOPMENT TRACT AS RECORDED IN INSTRUMENT NO. 30303 (D.R.J.C.T.);

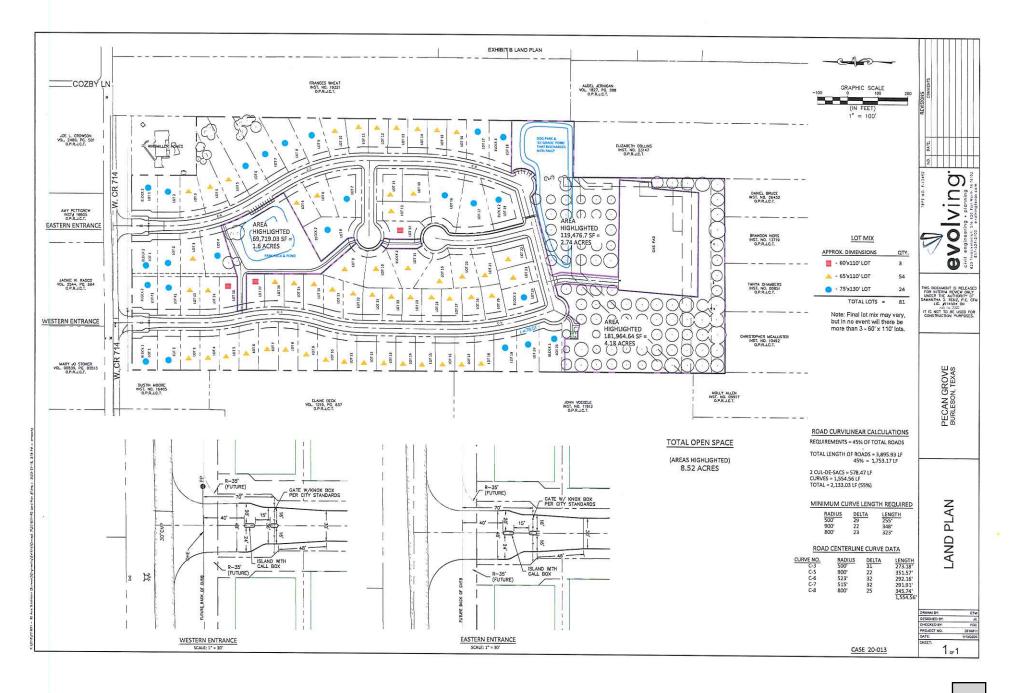
THENCE N 78°33'41" W ALONG THE SOUTH LINE OF SAID R.A. DEVELOPMENT TRACT AS RECORDED IN INSTRUMENT NO. 30303 (D.R.J.C.T.), A DISTANCE OF 1266.50 FEET TO A 1/2" IRON ROD FOUND FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID R.A. DEVELOPMENT TRACT:

THENCE N 47\*22'10" W ALONG AN EAST LINE OF A VARIABLE WIDTH UTILITY & DRAINAGE EASEMENT AS SHOWN ON THE PLAT RECORDED IN VOLUME 1, PAGE 111, PLAT RECORDS, JOHNSON COUNTY, TEXAS A DISTANCE OF 34.27 FEET TO A 1/2" IRON ROD FOUND FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF LOT 1, BLOCK 4, SENTER MEADOWS, PHASE ONE, ACCORDING TO THE PLAT RECORDED IN VOLUME 9, PAGE 181, PLAT RECORDS, JOHNSON COUNTY, TEXAS;

THENCE ALONG THE SOUTHEASTERLY LINE OF SENTER MEADOWS, PHASE ONE, THE FOLLOWING COURSES AND DISTANCES:

N 14'12'27" E, A DISTANCE OF 33.17 FEET TO A 1/2" IRON ROD FOUND; N 62'56'39" E, A DISTANCE OF 130.98 FEET TO A 1/2" IRON ROD FOUND; N 77'11'50" E, A DISTANCE OF 133.01 FEET TO A 1/2" IRON ROD FOUND; S 88'36'45" E, A DISTANCE OF 90.03 FEET TO A 1/2" IRON ROD FOUND; N 05'48'31" E, A DISTANCE OF 225.21 FEET TO A 1/2" IRON ROD FOUND; N 80'32'30" W, A DISTANCE OF 45.64 FEET TO A 1/2" IRON ROD FOUND; N 07'31'54" E, A DISTANCE OF 8.30 FEET TO A 1/2" IRON ROD FOUND; N 25'36'52" E, A DISTANCE OF 42.83 FEET TO A 1/2" IRON ROD FOUND; N 42'29'42" E, A DISTANCE OF 42.56 FEET TO A 1/2" IRON ROD FOUND; N 44'52'55" E, A DISTANCE OF 42.56 FEET TO A 1/2" IRON ROD FOUND; N 43'49'48" W, A DISTANCE OF 36.04 FEET TO A 1/2" IRON ROD FOUND;

THENCE N 46'08'38" E, A DISTANCE OF 158.88 FEET TO THE POINT OF BEGINNING AND CONTAINING 38.342 ACRES OF LAND, MORE OR LESS.



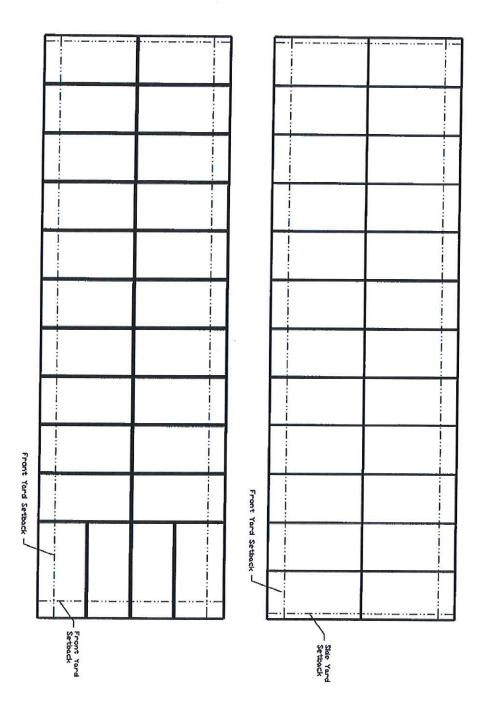
**EXHIBIT C**DENSITY AND DIMENSIONAL TABLE

|                      | T DEL 10   | III AND  | T                 | OTTL            | TTIDLE                         |  |   |  |                          |  |                         |     |
|----------------------|--|--|-------------------|-----------------|--------------------------------|--|---|--|--------------------------|--|-------------------------|-----|
| Minimum Lot<br>Width | Building<br>Type/Use   | Minimum<br>Living Area<br>SF per Unit                          | Minimus<br>Dimens |                 | Min Yard Setbacks in Feet      |  |   |  | Max.<br>Height<br>(Feet) | Max.<br>Bldg.<br>Cov.  |                         |     |
|                      |  |  | Area (SF)         | Depth<br>(Feet) | Front<br>for Main<br>Residence | Front<br>for Street<br>Facing<br>Porches | Front for<br>Garage   | Internal<br>Rear   | Internal<br>Side         | Side and<br>Rear on<br>Street w/<br>equal or less<br>than a 50-<br>foot right-<br>of-way |                         |     |
| 60                   | Single Family<br>Detached<br>Attached or<br>Detached Front<br>Entry Garage | 1,800 SF   | 6,600             | 110             | 15                             | 15<br>(t)                                | 20' for<br>front entry<br>config.<br>15' for J-<br>Swing<br>Garages | 10 for<br>Main Res.<br>3 for<br>Detached<br>Garage or<br>Accessory<br>Bldg | 5                        | 15 for all<br>bldgs.<br>(4)  | 35<br>(To top<br>plate) | 70% |
| 65                   | Single Family<br>Detached<br>Attached or<br>Detached Front<br>Entry Garage | 2,200 SF with<br>1st floor min<br>of 1,750 SF<br>for two story | 7,150             | 110             | 15                             | 15<br>(1)                                | 20' for<br>front entry<br>config.<br>15' for J-<br>Swing<br>Garages | 10 for<br>Main Res.<br>3 for<br>Detached<br>Garage or<br>Accessory<br>Bldg | 5                        | 15 for all<br>bldgs.<br>(4)  | 35<br>(To top<br>plate) | 70% |
| 75                   | Single Family<br>Detached<br>Attached or<br>Detached Front<br>Entry Garage | 2,600 SF with<br>1st floor min<br>of 2,000 SF<br>for two story | 9,750             | 130             | 15                             | 15<br>(t)                                | 20' for<br>front entry<br>config.<br>15' for J-<br>Swing<br>Garages | 10 for<br>Main Res.<br>3 for<br>Detached<br>Garage or<br>Accessory<br>Bldg | 5                        | 15 for all<br>bldgs.<br>(4)  | 35<br>(To top<br>plate) | 70% |

<sup>(1)</sup> All detached garage structures shall maintain a minimum ten foot (10') separation from any other vertical structure within the Zoning Area.

<sup>(2)</sup> The water's edge of a below-grade pool structure shall be permitted to be constructed within ten feet (10') of any type of rear or side lot line. No pool structures, or any other type of accessory structure, shall be constructed within an existing utility easement.

**EXHIBIT D**FRONT AND SIDE YARD SETBACK CONFIGURATIONS FOR BLOCK FACE



#### **EXHIBIT E**

Examples of facades that substantially conform to the PD architectural requirements



### Colonial







Craftsman





# Farmhouse and Modern Farmhouse



## Victorian





## Old World Traditional

# Painted Brick or Stucco/Mediterranean







## Prairie Modern

## **Tudor**





## Modern

