



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

City of Burnet Council Chambers, Hwy 281 South, Burnet, Texas 78611

Wednesday, June 11, 2025 at 5:30 PM

Notice is hereby given that a **Special Meeting of the Planning and Zoning Commission** of the City of Burnet, will be held on **Wednesday, June 11, 2025 at 5:30 PM** located in the City of Burnet Council Chambers located at 2402 S. Water Street (Hwy 281 South, Burnet Municipal Airport) Burnet, Texas at which time the following subjects will be discussed, to wit:

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

1. CALL TO ORDER:

2. ROLL CALL:

3. PUBLIC HEARINGS AND ACTION ITEMS:

1. Public hearing and action: Resolution No. R2025-48: L. Kimbler

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING A VARIANCE TO THE CODE OF ORDINANCES, SECTION 98-24 – FINAL PLAT FOR THE PROPOSED MINOR PLAT OF BURNET INDUSTRIAL PARK, BLOCK 3, SUBDIVISION

1. Staff Presentation
2. Public Hearing
3. Discuss and consider action

2. Public hearing and action: Resolution No. R2025-49: L. Kimbler

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE MINOR PLAT OF BURNET INDUSTRIAL PARK, BLOCK 3 SUBDIVISION

1. Staff Presentation
2. Public Hearing
3. Discuss and consider action

4. STAFF REPORTS:

5. REQUESTS FOR FUTURE AGENDA ITEMS:

6. ADJOURN

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of Burnet, is a true and correct copy of said notice and that

I posted a true and correct copy of said notice on the bulletin board, in the City Hall of said City, Burnet, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted on June 6, 2025 at or before 5:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 6th day of June 2025

Leslie Kimbler, Asst. City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The City of Burnet Council Chambers are wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's office (512.756.6093) at least two working days prior to the meeting. Requests for information may be emailed to the City Secretary at citysecretary@cityofburnet.com



CITY OF BURNET

PLANNING AND ZONING

ITEM BRIEF

Meeting Date

June 11, 2025

Agenda Item

Public hearing and action: Resolution No. R2025-48: L. Kimbler

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING A VARIANCE TO THE CODE OF ORDINANCES, SECTION 98-24 – FINAL PLAT FOR THE PROPOSED MINOR PLAT OF BURNET INDUSTRIAL PARK, BLOCK 3, SUBDIVISION

1. Staff Presentation
2. Public Hearing
3. Discuss and consider action

Information

The proposed minor plat of Burnet Industrial Pak, Block 3 is a 2.985 acre commercial subdivision located at the intersection of John Kelly Drive and Industrial Blvd. No new streets are to be developed. The proposed subdivision is owned by the Highland Lakes Health Fund and is the future location of additional Ascension Seton Burnet Health Center. Plans for the first additional clinic are currently under review.

The requested variance for this development pertains to the requirements outlined in Code of Ordinances, Section 98-24(c)(4)(g) which states: “The proposed location of sidewalks for each street, to be shown as a dotted line inside of the proposed right-of-way lines.” The applicant has submitted a request for a variance to allow the project to be developed with no sidewalks. The applicant has noted that the existing complex, for the Ascension Seton Burnet Health Center, is developed with no public sidewalks. Additionally, other businesses in this area have been allowed to be developed with no sidewalks and enforcing this section of code would create sidewalks that do not connect with other existing sidewalks.

The City of Burnet Code of Ordinances Sec. 98-82 states the following regarding variances to the subdivision standards:

“In granting approval of a request for variance, the Commission and Council shall conclude that the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of this chapter would result in unnecessary hardship, and so that the variance observes the spirit of this chapter and concludes that substantial justice is done. The Commission and Council shall meet these requirements by making findings that:

- a. The public convenience and welfare will be substantially served;
- b. The appropriate use of surrounding property will not be substantially or permanently impaired or diminished;
- c. The applicant has not created the hardship from which relief is sought;
- d. The variance will not confer upon the applicant a special right or privilege not commonly shared or available to the owners of similar and surrounding property;
- e. The hardship from which relief is sought is not solely of an economic nature;
- f. The variance is not contrary to the public interest;
- g. Due to special conditions, the literal enforcement of this chapter would result in an unnecessary hardship; and
- h. In granting the variance the spirit of the ordinance is observed, and substantial justice is done.”

Staff analysis

When evaluating the requested variance, staff confirm that sidewalks have not been required for surrounding properties. Therefore, the lack of sidewalks in this case is not a hardship which the applicant has created, nor will the approval of such variance confer upon the applicant a special right not commonly shared with surrounding properties. Additionally, the proposed development includes appropriate internal sidewalks, ensuring safe and adequate pedestrian access within the site itself. Requiring external sidewalks that terminate at the property boundary, without connecting to any existing or planned pedestrian networks and may create confusion for residents and pedestrians, as these sidewalks would not provide meaningful connectivity and could be perceived as incomplete or purposeless. For these reasons, staff believes the requested variance satisfies the applicable criteria outlined in the code and recommends its approval.

Recommendation

Staff recommends approval of the applicant's request for the variance to the Code of Ordinances, Section 98-24 – Final Plat for the proposed Minor Plat of Burnet Industrial Pak, Block 3 Subdivision.

Open the public hearing. At the conclusion of the public hearing, discuss and consider the draft resolution.

Exhibit "A"

Location



Exhibit "C"**Variance Request**

City of Burnet
Subdivision Variance Application

City of Burnet · Development Services Department · (512) 715-3206
 1001 Buchanan Drive · Suite 4 · Burnet, Texas · 78611

Name of Applicant: Wade Langley
 Current Address: 717 N Water
 City: Burnet State: TX Zip Code: 78611
 Primary Phone: (512) 734 - 3172 Cell Phone: () -
 Email: wade@langleyhomesinc.com

Name(s) of Property Owner(s): Highland Lakes Health Fund
 Current Address: 717 N Water
 City: Burnet State: TX Zip Code: 78611
 Primary Phone: (512) 734 - 3172 Cell Phone: () -
 Email: wade@langleyhomesinc.com

Address/ Location of Variance Request: 400 Industrial Blvd

Legal Description: 2.98 acre tract situated in the Memuel Taylor Survey NO 8 Abstract No880 of Burnet County described as HLHF doc NO.200712640

Section from which variance is requested: 118-61 CO2

Reason for Request: This property is a portion of an existing complex that does not have public walks in place.

Further, no other businesses inside of the industrial complex have public walks and literal enforcement of the code
create a situation where sidewalks lead to "nowhere" as adjoining properties do not have public walks.

Applicant Signature: [Signature] Date: 5 / 27 / 25

Printed Name: Wade Langley

Property Owner Signature: [Signature] Date: 5 / 27 / 25

Printed Name: Wade Langley, VP of the Highland Lakes Health Fund

RESOLUTION NO. R2025-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING A VARIANCE TO THE CODE OF ORDINANCES, SECTION 98-24 – FINAL PLAT FOR THE PROPOSED MINOR PLAT OF BURNET INDUSTRIAL PARK, BLOCK 3, SUBDIVISION

WHEREAS, Code of Ordinances, Section 98-24, imposes regulations on what will be shown on each plat for recordation; and

WHEREAS, the applicant has petitioned for a variance to the Code of Ordinances, Sec. 98-24, to allow the project to be developed without sidewalks; and

WHEREAS, in order to permit the development of the project without sidewalks, a variance from Sec. 98-24 must be granted; and

WHEREAS, the Planning and Zoning Commission has recommended the variance be granted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AS FOLLOWS:

Section One. Recitals. The recitals set out above are hereby approved and incorporated herein for all purposes.

Section Two. Findings. As required by city Code Sec. 98-82, City Council finds:

- Granting the variance is not contrary to the public interest: **by requiring sidewalks to be constructed may give the false impression of a continuous pedestrian route, potentially encouraging unsafe or unintended use.**
- The literal enforcement of this chapter would result in unnecessary hardship: **the literal enforcement of the requirement to construct sidewalks in this location imposes an unnecessary hardship on the applicant as the sidewalks would not connect to any existing or planned pedestrian infrastructure.**
- The variance observes the spirit of the ordinance and concludes that substantial justice is done: **staff has determined that all other requirements of the code are adhered to and therefore, the spirit of the ordinance is observed and substantial justice is done.**

Section Three. Approval. The variance request is hereby approved and granted.

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

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

PASSED AND APPROVED on this the 24th day of June 2025.

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Maria Gonzales, City Secretary



CITY OF BURNET

PLANNING AND ZONING

ITEM BRIEF

Meeting Date

June 11, 2025

Agenda Item

Public hearing and action: Resolution No. R2025-49: L. Kimbler

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS,
APPROVING THE MINOR PLAT OF BURNET INDUSTRIAL PARK, BLOCK 3
SUBDIVISION

1. Staff Presentation
2. Public Hearing
3. Discuss and consider action

Information

The proposed minor plat of Burnet Industrial Pak, Block 3 is a 2.985 acre commercial subdivision located at the intersection of John Kelly Drive and Industrial Blvd. No new streets are to be developed. The proposed subdivision is owned by the Highland Lakes Health Fund and is the future location of additional Ascension Seton Burnet Health Center. Plans for the first additional clinic are currently under review.

The property is currently an unplatted property; the plat is required prior to the approval of any development permits.

Staff analysis

The plat has been reviewed using Code of Ordinances Section 98-24 (Final Plat) as guide. With the approval of the variance, it has been found to comply with ordinance requirements relating to form and content.

Recommendation

Staff recommends approval of the proposed Minor Plat of Burnet Industrial Pak, Block 3 Subdivision.

Open the public hearing. At the conclusion of the public hearing, discuss and consider the draft resolution.

Exhibit "A"

Location



RESOLUTION NO. R2025-49

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET,
TEXAS, APPROVING THE MINOR PLAT OF BURNET INDUSTRIAL
PARK, BLOCK 3 SUBDIVISION**

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

WHEREAS, The Planning and Zoning Commission has made its recommendation for approval on the minor plat of Burnet Industrial Park, Block 3 Subdivision; and

WHEREAS, the City Council conducted a public hearing on this application on June 24, 2025.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AS FOLLOWS:

Section One. Findings. The recitals set out above are hereby approved and incorporated herein for all purposes.

Section Two. Approval. The Minor Plat of Burnet Industrial Park, Block 3 Subdivision is hereby approved.

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

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

PASSED AND APPROVED on this the 24th day of June 2025.

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Maria Gonzales, City Secretary

Plat

LEGEND

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- 2. RIGHT-OF-WAY
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