

ORDINANCE NO. 1128-05-17

AN ORDINANCE OF THE CITY OF HONDO AMENDING THE HONDO ZONING ORDINANCE AND ZONING DISTRICT MAP BY REZONING 50 FEET OF EAST SIDE OF LOT 2 AND 50 FEET OF THE WEST SIDE OF LOT 3, BLOCK 1, W.J. NESTER ADDITION, LOCATED AT 605 30TH STREET, CITY OF HONDO, TEXAS FROM RESIDENTIAL 2 ("R2") DISTRICT TO COMMERCIAL ("C") DISTRICT; DECLARING COMPLIANCE WITH MUNICIPAL ZONING REGULATIONS, STATE LAW, PUBLIC NOTICE AND HEARING REQUIREMENTS, INCORPORATING RECITALS; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Hondo as a subdivision of the State of Texas has the authority to pass law and the laws of the City are passed by Ordinance; and

WHEREAS, the Texas Local Government Code 211, subchapter A authorizes a city to establish zoning regulations for the purpose of promoting public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance.; and

WHEREAS, the Texas Local Government Code 211.006 establishes procedures to for cities to amend zoning regulations and zoning district boundaries; and

WHEREAS, Sec. 25.2007 of the Code of Ordinance for the City of Hondo provides for amendments and changes to zoning regulations and zoning district boundaries; and

WHEREAS, Medina County Hospital District owns the tract located at 605 30th Street, City of Hondo, Medina County, Texas; and

WHEREAS, the City of Hondo Planning and Zoning Commission considered the application to rezone the Property at its meeting on May 15, 2017, and has recommended approval; and

WHEREAS, after due deliberation and consideration of the information submitted during the public hearings and the recommendation of the Planning and Zoning Commission, the City Council has concluded that approval of the applicant's requested zone from Residential 2 ("R2") District to Commercial ("C") District for the Property would be in the best interest of the citizens of City of Hondo.

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

SECTION 1. REZONE AND AMENDMENT TO ZONING DISTRICT MAP. The Zoning Ordinance and Zoning District Map of the City of Hondo, Texas, be hereby amended to reflect a

zone change from Residential 2 ("R2") District to Commercial ("C") District for the following real property:

A 13,039 s.f. tract being 50 ft. of the east side of Lot 2 and 50 ft. of west side of Lot 3, Block 1, W. J. Nester Addition as shown on the plat of said addition which is of record at Vol. 1, Page 88, Map/Plat records, Medina County, Texas, said tract being more particularly described in the survey attached as **EXHIBIT "A"**.

SECTION 2. All other provisions of the Zoning Ordinance and Zoning District Map, except those expressly amended by this ordinance, shall remain in full force and effect.


SECTION 3. DECLARATION OF COMPLIANCE. The City Council finds that all required public notices for the rezoning of the Property have been published and the public hearings as required by Municipal Code of Ordinances and state law have been held to consider the application to amend the zoning district boundary.

SECTION 4. INCORPORATION OF RECITALS. The City Council finds the recitals in the preamble of this Ordinance are true and correct and incorporates them as findings of fact.

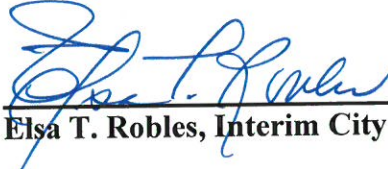
SECTION 5. SEVERABILITY. Should any word, sentence, clause, paragraph, or provision of this ordinance be held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part or provision so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of the Zoning Ordinance, the Zoning District Map, or any other provision of the City's Code of Ordinances.

SECTION 6. EFFECTIVE DATE. This ordinance shall become effective upon the adoption of this ordinance.

PASSED AND APPROVED, THIS 22ND DAY OF MAY, 2017.


JAMES W. DANNER, SR., MAYOR

ATTEST:


Elsa T. Robles, Interim City Secretary



30TH STREET
(50' R.O.W.) (100')
N 89°40'27" E 99.99'

N 89°58'04" W
C.M. 155.31'

ONE STORY BRICK

E. 50' OF LOT 2
AND W. 50' OF LOT 3
BLOCK 1
13,039 SQ. FT.
0.299 ACRES

S 00°01'56" E 130.70' (130')
(ASSUMED BEARING) E. 25' OF LOT 3

N 90°00'00" W 99.98' (100')
ALLEY

S 89°40'21" W
C.M. 99.56'

FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. THE PROPERTY MADE THE SUBJECT OF THIS SURVEY APPEARS TO BE INCLUDED IN A FEMA FLOOD INSURANCE RATE MAP (FIRM), IDENTIFIED AS COMMUNITY NO. 483220, PANEL NO. 04805, WHICH IS DATED 04-03-2012. BY NOTING FROM THAT FIRM, IT APPEARS THAT ALL OR A PORTION OF THE PROPERTY MAY BE IN FLOOD ZONE(S) X. BECAUSE THIS IS A BOUNDARY SURVEY, THE SURVEY DID NOT TAKE ANY ACTIONS TO DETERMINE THE FLOOD ZONE STATUS OF THE SURVEYED PROPERTY OTHER THAN TO INTERPRET THE INFORMATION SET OUT ON FEMA'S FIRM, AS DESCRIBED ABOVE. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, WHICH MAY NOT AGREE WITH THE INTERPRETATIONS OF FEMA OR STATE OR LOCAL OFFICIALS, AND WHICH MAY NOT AGREE WITH THE TRACT'S ACTUAL CONDITIONS. MORE INFORMATION CONCERNING FEMA'S SPECIAL FLOOD HAZARD AREAS AND ZONES MAY BE FOUND AT <http://www.fema.gov/index.shtml>.

Property Address:
605 30TH STREET
Property Description:
FIFTY FEET (50') OF THE EAST SIDE OF LOT NO. TWO (2)
AND FIFTY FEET (50') OF THE WEST SIDE OF LOT NO. THREE
(3), BLOCK 1, W. J. NESTER ADDITION AS SHOWN ON THE
PLAT OF SAID ADDITION WHICH IS OF RECORDED IN VOLUME
1, PAGE 88, MAP/PLAT RECORDS, MEDINA COUNTY, TEXAS.

Owner: