

RESOLUTION No. 22-009R

A RESOLUTION OF THE CITY OF LEON VALLEY, TEXAS CITY COUNCIL APPROVING TREE PRESERVATION VARIANCE REQUEST 2022-02, A VARIANCE TO THE CITY OF LEON VALLEY CODE OF ORDINANCES, CHAPTER 13, TREE PRESERVATION, ARTICLE 13.02 TREE PRESERVATION ORDINANCE, DIVISION 3. REQUIREMENTS AND RESTRICTIONS, SECTION 13.02.074 PRESERVATION REQUIREMENTS, SECTION 13.02.075 REMOVAL, REPLACEMENT OR RELOCATION OF SMALL, MEDIUM, AND LARGE TREES, SECTION 13.02.076 REPLACEMENT TREES REQUIRED, AND SECTION 13.02.080 HERITAGE TREE REMOVAL PROHIBITED; PENALTIES, (a) AND (b), TO ALLOW THE REMOVAL OF EIGHTY (80) MEDIUM, ONE HUNDRED AND TEN (110) LARGE, AND SEVEN (7) HERITAGE TREES FROMS THE PROPERTY LOCATED AT 7213 HUEBNER ROAD, BEING PARCEL 45, ABSTRACT 64, CB 4446, BEING APPROXIMATELY TEN (10) ACRES OF LAND

WHEREAS, Cude Engineering has requested a variance from the Leon Valley Code of Ordinances, Chapter 13, Tree Preservation to remove eighty medium, 110 large, and seven heritage trees; and

WHEREAS, this Tree Variance Request Case No.2022-02 was considered by the Tree Advisory Board on April 25, 2022, and the Board recommended approval of this request; and

WHEREAS, the Leon Valley City Council may authorize a variance from Chapter 13, Tree Preservation regulations granted after consideration and recommendation by the Tree Advisory Board to the City Council for final determination where a literal enforcement of the provision of this article will result in unnecessary hardship; and

WHEREAS, the granting of the variance will not be contrary to the public interest, will be in harmony with the spirit and purposes of Chapter 13, Tree Preservation, the variance is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial; and will not substantially weaken the general purposes of Chapter 13, Tree preservation;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, THAT:


Cude Engineering is hereby granted a variance from the Leon Valley Code of Ordinances, Chapter 13, Tree Preservation to remove eighty (80) medium, one-hundred and ten (110) large, and seven (7) heritage trees on a 10 acre tract of land, generally located at 7213 Huebner Road, in the City of Leon Valley, being Parcel 45, Abstract 64, CB 4446, with the provision that the property owner plant two new trees per subdivided residential lot for a total of 172 new trees, and pay a fee of \$59,150 in lieu of additional tree plantings.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley
this the 3rd day of May 2022.

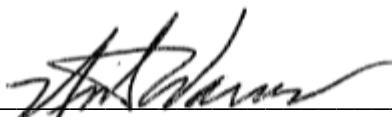
APPROVED


CHRIS RILEY
MAYOR

Attest :


SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:


NICOLE WARREN
City Attorney

