

RESOLUTION No.

A RESOLUTION OF THE CITY OF LEON VALLEY, TEXAS CITY COUNCIL APPROVING TREE PRESERVATION VARIANCE REQUEST 2023-01, AMENDING RESOLUTION NO. 22-031R, 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 13.02.076 REPLACEMENT TREES REQUIRED, AND SECTION 13.02.077 MITIGATION IN LIEU OF REPLACEMENT (b), TO ALLOW THE REDUCTION IN THE NUMBER AND SIZE OF REQUIRED NEW TREES AND PAYING TREE MITIGATION FEES NOT TO EXCEED \$25,000, IN LIEU OF PLANTINGS, AT THE PROPERTY LOCATED IN THE 6300 BLOCK OF EVERS ROAD, BEING PARCEL 4A, ABSTRACT 530, CB 4432, BEING APPROXIMATELY 9.174 ACRES OF LAND.

WHEREAS, Mr. Samir Chehade, STS Partners, LP, has requested an amendment to previously approved Resolution No. 22-031R, a Tree Variance from the Leon Valley Code of Ordinances, Chapter 13, Tree Preservation to be allowed to reduce the number and size of required new trees from 200 trees at a minimum of 3-inch diameter to 85 trees at a minimum of 1.5-inch diameter and pay a tree mitigation fee of \$25,000; and

WHEREAS, this Tree Variance Request Case No.2023-01 was considered by the Leon Valley City Council at their June 20, 2023 meeting, and the City Council approved the request; and

WHEREAS, the Leon Valley City Council may authorize a variance from Chapter 13, Tree Preservation regulations granted after consideration 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 Ordinance;

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

Mr. Samir Chehade, STS Partners, LP is hereby granted an amendment to Resolution No. 22-031R for a Tree Variance from the Leon Valley Code of Ordinances, Chapter 13, Tree Preservation to reduce the number and size of required new trees to 85 trees at a minimum of 1.5-inch diameter and to reduce tree mitigation fees to \$25,000 on a 9.174 acre tract of land, generally located in the 6300 block of Evers Road, in the City of Leon Valley, being Parcel 4A, Abstract 530, CB 4432.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley
this the 20th day of June 2023.

APPROVED

CHRIS RILEY
MAYOR

Attest :

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

NICOLE WARREN
City Attorney