

ORDINANCE NO. 2024-07

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3-2, ZONING MAP, GRANTING HISTORIC LANDMARK DESIGNATION TO 717 N. MAIN STREET, BOERNE, TEXAS (KAD NO. 19840) IN A C3, COMMUNITY COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE

WHEREAS, Chapter 2. Section 2.11 of the Unified Development Code sets forth Procedures for Historic District Designation of properties; and

WHEREAS, Mr. Shawn Franke and Mrs. Lori Franke (“Applicants”) are the owners of the property known as the “Foote-Hawkins House” located at 717 N Main St., Boerne, Texas, and are seeking a Historic Landmark Designation; and

WHEREAS, the existing residential structure on this property was built by Mr. Daniel Avery Foote circa 1893, he operated a lumber, furniture, undertaker and embalmer business on Main St. until 1914; and

WHEREAS, 717 N Main St., Boerne, Texas, is deemed to have historical, culture, archeological, and educational value that reflects the heritage of Boerne; and

WHEREAS, on March 5, 2024, the Historic Landmark Commission reviewed the aforesaid application, and rendered its decision recommending that 717 N Main St., Boerne, Texas, be granted a Historic Landmark Designation; and

WHEREAS, on April 1, 2024, the Planning and Zoning Commission rendered its decision recommending that 717 N Main St., Boerne, Texas, be granted a Historic Landmark Designation; and

WHEREAS, the City Council of the City of Boerne has complied with all requirements of notice of public hearing and such hearing was held on May 28, 2024, at which time interested parties and citizens were given an opportunity to be heard; and

WHEREAS, all requirements of the Unified Development Code, relating to Historic Landmark Designation criteria have been met; and

WHEREAS, the City Council finds it necessary and in the best interest of the citizens to grant Historic Landmark Designation to 717 N Main St, Boerne, Texas.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

Section 1. The facts, findings, and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct and are incorporated by reference herein and expressly made part hereof, as it copied herein verbatim.

Section 2. That the property known as the "Foote-Hawkins House" located at 717 N Main St., Boerne, Texas, is hereby granted Historic Landmark Designation.

Section 3. That if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

Section 4.

This ordinance will take effect upon the second and final reading of same.

PASSED AND APPROVED on this the first reading the ____ day of May, 2024.

PASSED, APPROVED AND ADOPTED on this second reading the ____ day of June, 2024.

APPROVED:

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney