

ORDINANCE NO. 2019-03

AN ORDINANCE OF THE PORT ARANSAS CITY COUNCIL APPROVING ZONING CHANGE REQUEST ZCR-19-0060 CHANGING PROPERTY LOCATED AT 518 LANTANA DR. FROM A RESIDENTIAL 2 (R-2) ZONE TO A RESIDENTIAL 1 (R-1) ZONE AS REQUESTED BY BIRKA LAND, LTD.; PROVIDING FOR THE VALIDITY OF SAID ORDINANCE; REPEALING ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application was received by the Development Services Department in City Hall, Port Aransas, Texas described as Zoning Change Request # ZCR-19-0060 to rezone the property hereinafter described; and

WHEREAS, on January 14, 2019 said "Notice of Public Hearing" was mailed to affected property owners within 200' of subject property; and

WHEREAS, on February 7, 2019 the City caused to be published a "Notice of Public Hearing" in the South Jetty, official newspaper of the City notifying area residents and the public in general to participate and make their views known regarding this request at the Planning & Zoning commission meeting of January 29, 2019; and

WHEREAS, on January 29, 2019 the Planning & Zoning Commission did meet and after hearing and considering the application said Commission voted unanimously (5-0, 2 absent) to recommend that City Council accept Zoning Change Request # ZCR-19-0060, for Palm Addition, Block 2, Lots 13 & 14 otherwise known as 518 Lantana, currently a vacant tract, effectively changing zoning of said property from R-2 to R-1.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT ARANSAS, NUECES COUNTY, STATE OF TEXAS:

SECTION 1. RECEIVE REPORT FROM THE COMMISSION

That the Planning & Zoning Commission after hearing and considering application ZCR-19-0060 voted unanimously (5 – 0, with 2 absent) to recommend the City Council accept said rezone request for Palm Addition, Block 2, Lots 13 & 14 otherwise known as 518 Lantana, Port Aransas TX effectively changing the zoning from R-2 to R-1.

SECTION 2. AMENDMENT

That the Port Aransas City Council accepts the recommendation from the Planning & Zoning Commission and takes action to approve zoning change request ZCR-19-0060.

SECTION 3. SEVERABILITY

It is the intention of the City Council of the City of Port Aransas that if any phrase, sentence, section, or paragraph of this ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

SECTION 4. **EFFECTIVE DATE**

As provided by Article III, Section 12(b) and (c) and by Article XII, Section 2 of the Charter of the City of Port Aransas, this ordinance shall be effective upon adoption after third and final reading.

PASSED, ORDAINED, APPROVED and ADOPTED by the Port Aransas City Council, County of Nueces, State of Texas, on this 18th day of APRIL, 2019.



CITY OF PORT ARANSAS, TEXAS

A handwritten signature in black ink, appearing to read "Charles R. Bujan", written over a horizontal line.

Charles R. Bujan, Mayor

ATTEST:

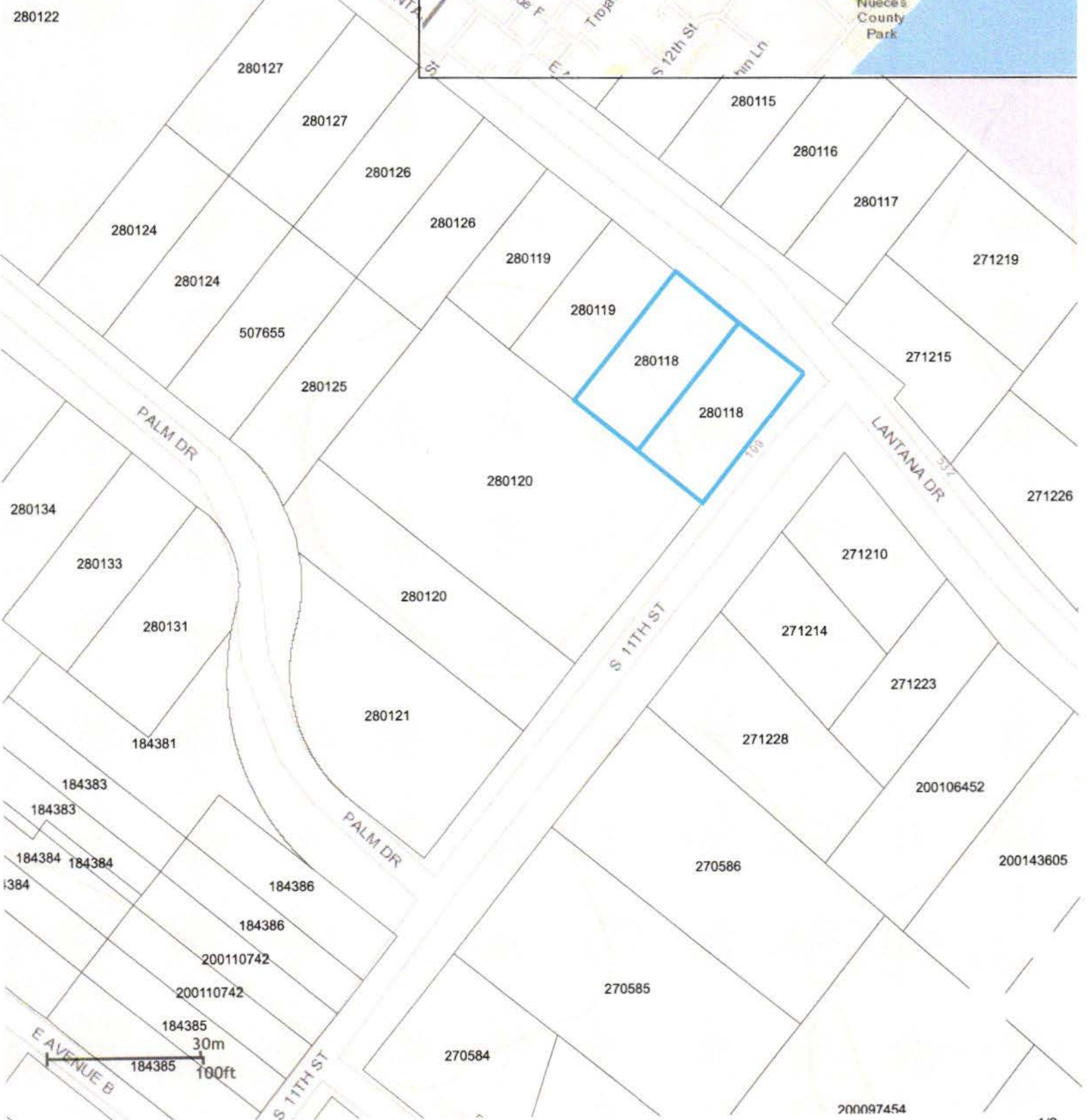
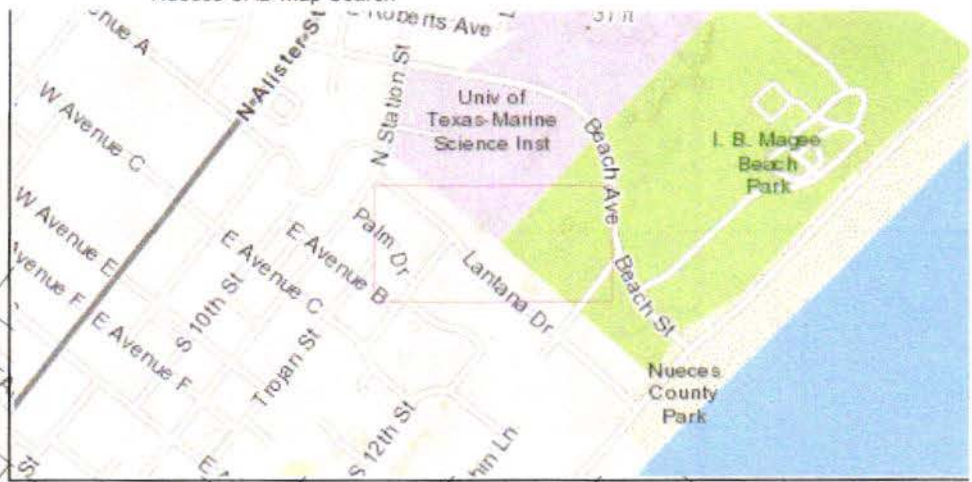
A handwritten signature in blue ink, appearing to read "Francisca Nixon", written over a horizontal line.

Francisca Nixon, City Secretary

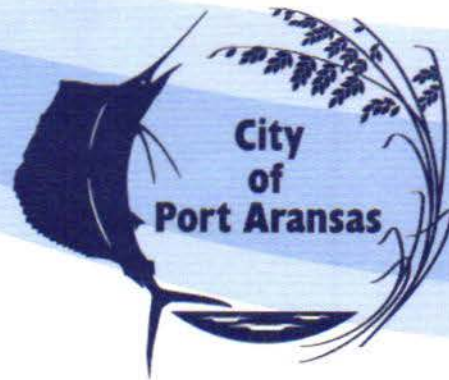
First Reading: February 21, 2019

Second Reading: March 21, 2019

Third Reading: April 18, 2019




City of Port Aransas



STATE OF TEXAS §
COUNTY OF NUECES §

I, Francisca Nixon, City Secretary of the City of Port Aransas, Nueces County Texas, hereby certify that the attached Ordinance adopted on Thursday, April 18, 2019 at the Regular City Council Regular Meeting and attached hereto is a true and correct copy of said Ordinance. I hereby further certify that at such meeting there were present and acting throughout a quorum authorized to adopt such action, and that the proceedings of said meeting were in accordance with the Charter and laws of the State of Texas. Said Meeting Minutes will be formally adopted by the City Council of the City of Port Aransas, Texas, at a meeting of said Council on the 16th day of May, 2019.



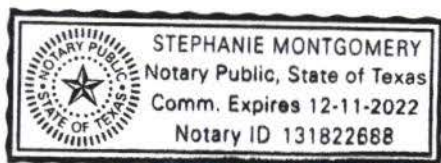

Francisca Nixon
City Secretary
City of Port Aransas, Texas

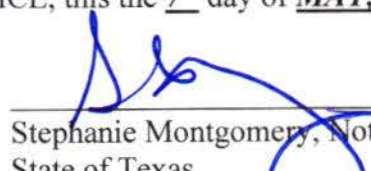
STATE OF TEXAS §
COUNTY OF NUECES §

BEFORE ME, the undersigned authority, a Notary Public for the State of Texas, on this day personally appeared Francisca Nixon, City Secretary of the City of Port Aransas, Texas, known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 7th day of MAY, 2019.

(Notary Seal)




Stephanie Montgomery, Notary Public for the
State of Texas
My Commission Expires: 12-11-2022