

ORDINANCE NO. 2009- 26

AN ORDINANCE DESIGNATING ACADEMY AVENUE, DEFINED BY CROSS AND JAHN STREETS, TO BE KNOWN AS THE SOPHIENBURG HILL HISTORIC DISTRICT, ACCORDING TO CHAPTER 66, ARTICLE III, AND AMENDING THE ZONING MAP.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Historic Landmark Preservation Ordinance and Zoning Ordinance of the City of New Braunfels; and

WHEREAS, the City Council wishes to protect this area as a part of the heritage of New Braunfels for future generations; and

WHEREAS, the City Council desires to amend the Zoning Map by designating the suffix "HO" in addition to the conventional zoning designation established by the zoning ordinance; **now, therefore;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS:

SECTION 1

THAT the following described area is hereby designated as a Historic District in accordance with the provisions of Chapter 66, Article III of the Code of Ordinances of the City of New Braunfels, Texas:

"Academy Avenue, defined by Cross Street and Jahn Street , an area to be known as The Sophienburg Hill Historic District" , as shown on the attached map, marked as Exhibit A".

SECTION 2

THAT the above properties are hereby restricted as to the amount or method of change, construction, or demolition that can take place in accordance with Chapter 66, Article III of the Code of Ordinances of the City of New Braunfels.

The Secretary of Interior guidelines as defined in Article III. Historic Landmark Preservation. Sec. 66-58. will be the guidelines that apply to this District and amendment of any specific guidelines other than those identified at the adoption of this ordinance will require public hearings and approvals as currently outlined in Sec. 66-55. Designation of Historic Districts with the exception that the City would require 67% of the property owners instead of 51% to agree to change the design guidelines.

SECTION 3

THAT the above described properties are hereby entitled to all rights and privileges that are accorded to historically designated structures or sites, or which may be accorded those structures or sites in the future.

SECTION 4

THAT, the zoning map is amended by designating all tracts as defined in Exhibit A to add "HO".

SECTION 5

THAT all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 6

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 7

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

PASSED AND APPROVED: First Reading this the 27th day of April, 2009.

PASSED AND APPROVED: Second Reading this the 11th day of May, 2009.

CITY OF NEW BRAUNFELS

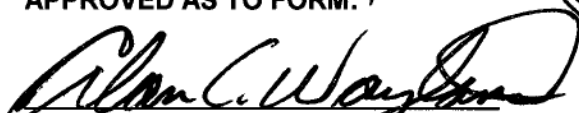

R. BRUCE BOYER, Mayor

ATTEST:


MICHAEL A. RESENDEZ, City Secretary



APPROVED AS TO FORM:


ALAN C. WAYLAND, City Attorney



Sophienburg Hill Historic District