

AN ORDINANCE 2013 - 10 - 17 - 0732

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.

* * * * *

WHEREAS, a public hearing was held after notice and publication regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of 0.0886 of an acre out of Lot 4, Block C, NCB 2875 from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office.

SECTION 2. A description of the property is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 3. The City Council finds as follows:

- A. The conditional use will not be contrary to the public interest.
- B. The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C. The conditional use will be in harmony with the spirit and purpose for conditional uses as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D. The conditional use will not substantially weaken the general purposes of the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E. The conditional use will not affect adversely the public health, safety and welfare.

SECTION 4. The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

- A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of

the main structure.

- B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.
- C. Business hours of operation shall not be permitted before 7:00 a.m. or after 6:00 p.m.

SECTION 5. The City Council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Attachment "B"** and made a part hereof and incorporated herein for all purposes.

SECTION 6. In accordance with Section 35-514(d)(2)D of the Unified Development Code, the City Council authorizes a predominantly-open fence to be erected or altered of up to a height of six (6) feet in the front yard.

SECTION 7. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

SECTION 8. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 9. This ordinance shall become effective October 27, 2013.

PASSED AND APPROVED this 17th day of October 2013.

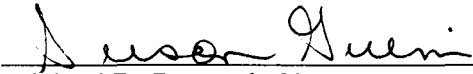

M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



for Michael D. Bernard, City Attorney

Agenda Item:	Z-4 (in consent vote: P-1, Z-1, Z-4, Z-7)						
Date:	10/17/2013						
Time:	02:24:14 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2013189 CD (District 5): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office allowing a fence up to six (6) feet in height along the front property line in accordance with Section 35-514 (d)(2) (D) of the Unified Development Code on 0.0886 acres out of Lot 4, Block C, NCB 2875 located at 306 Forrest Avenue. Staff and Zoning Commission recommend approval with conditions.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x			x	
Shirley Gonzales	District 5	x					
Ray Lopez	District 6		x				
Cris Medina	District 7	x					
Ron Nirenberg	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

EXHIBIT "A"

CD

METES AND BOUND DESCRIPTION

LOT 4, BLOCK "C", NEW CITY BLOCK 2875, CITY OF SAN ANTONIO, RECORDED IN VOLUME 2311, PAGE 330, DEED RECORDS OF BEXAR COUNTY, TEXAS, SAVE AND EXCEPT PORTION CONVEYED TO SAN ANTONIO RIVER AUTHORITY RECORDED IN VOLUME 4291, PAGE 139 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

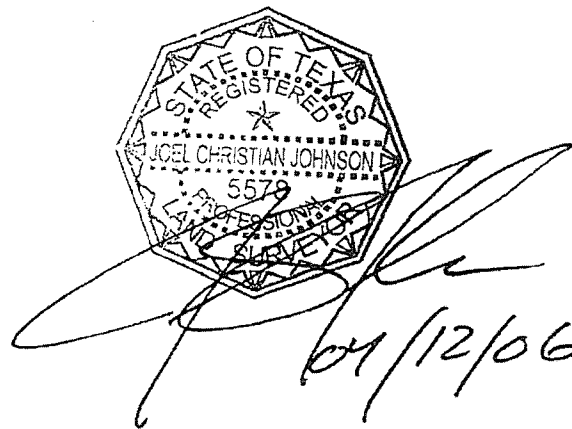
BEGINNING at a 1" iron pipe found on the Southerly Right-of-Way line of Forrest Ave. marking the North corner of said Lot 4;

THENCE S 57° 36' 32" E 50.01 feet along said Southerly Right-of-Way line of Forrest Ave. to a ½" iron rod set with yellow cap marked "Rosin-Johnson" marking the most Easterly corner of said Lot 4;

THENCE S 32° 24' 07" W 76.26 feet along the Southeast line of said Lot 4 to a 2" metal post found marking the most Southerly corner of the herein described tract;

THENCE N 59° 48' 12" W 50.05 feet across said Lot 4 to a ½" iron rod found on the Northwest line of said Lot 4 marking the most Westerly corner of the herein described tract;

THENCE N 32° 24' 07" E 78.18 feet along the Northwest line of said Lot 4 to the **POINT OF BEGINNING**.



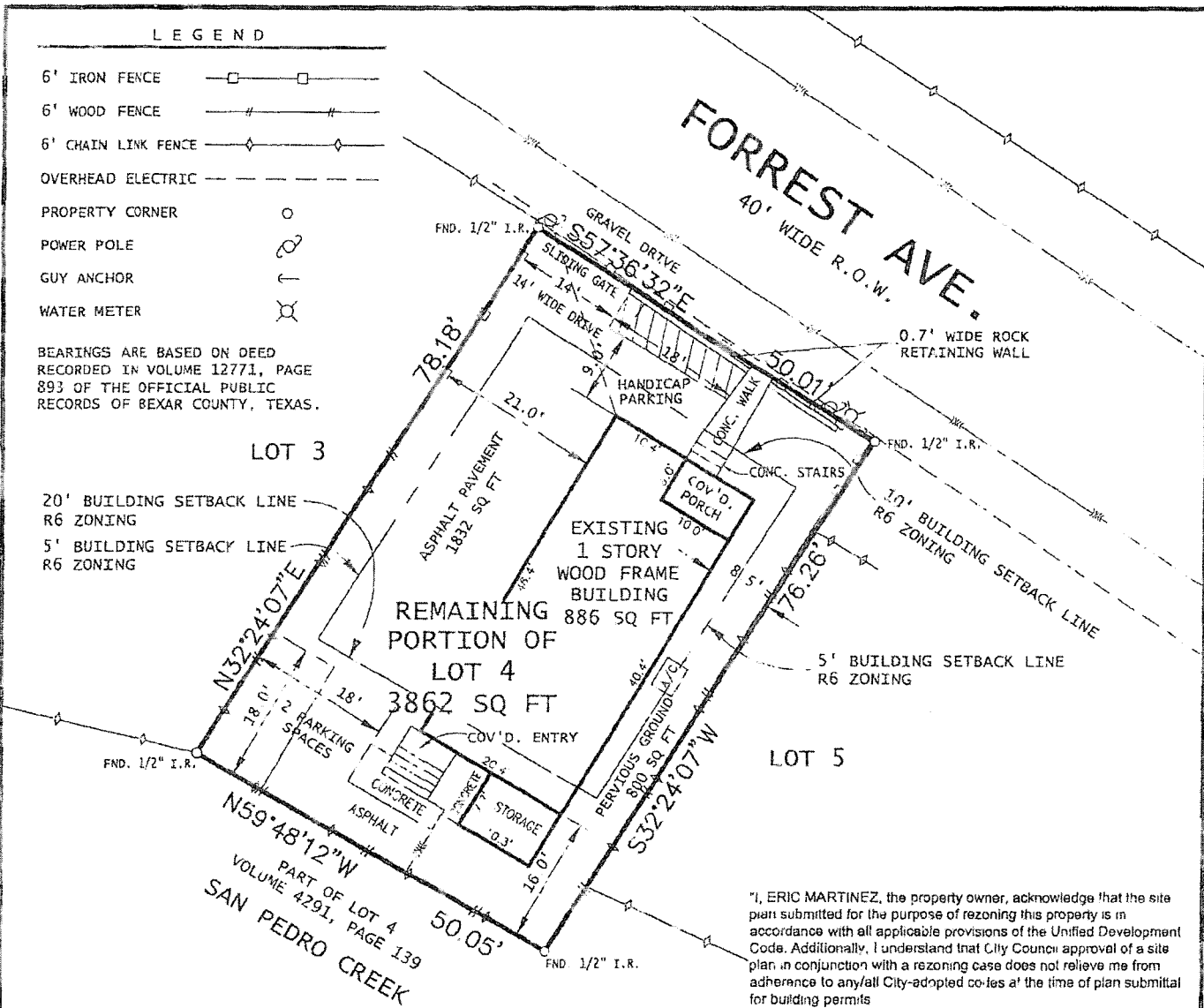
LEGEND

6' IRON FENCE	—□—□—
6' WOOD FENCE	—#—#—
6' CHAIN LINK FENCE	—◇—◇—
OVERHEAD ELECTRIC	- - - - -
PROPERTY CORNER	○
POWER POLE	⊕
GUY ANCHOR	↑
WATER METER	⊗

BEARINGS ARE BASED ON DEED RECORDED IN VOLUME 12771, PAGE 893 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

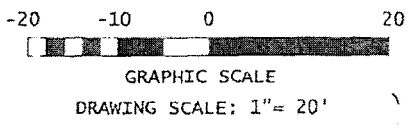
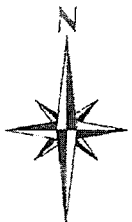
LOT 3

20' BUILDING SETBACK LINE R6 ZONING
5' BUILDING SETBACK LINE R6 ZONING



"I, ERIC MARTINEZ, the property owner, acknowledge that the site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted codes at the time of plan submittal for building permits

- NOTE:**
1. ALL IMPROVEMENTS SHOWN HEREON ARE EXISTING.
 2. NO BUILDINGS ARE PROPOSED
 3. NO PAVING OR ADDITIONAL LANDSCAPING ARE PROPOSED FOR THIS PERMIT.
 4. THE PROPOSED USE OF THE BUILDING IS PROFESSIONAL OFFICE.



SURVEY PLAT OF

Lot 4, Block C, New City Block 2875, in the city of San Antonio, Bexar County, Texas, according to volume 2311, page 330, Deed Records, SAVE AND EXCEPT that portion conveyed to the San Antonio River Authority in volume 4291, page 139, Deed Records, all of Bexar County, Texas.

OWNER: ERIC MARTINEZ
ADDRESS: 306 FORREST
SAN ANTONIO, TEXAS 78204

C&W
Surveying

P.O. Box 692202
San Antonio, TX 78269
12703 Spectrum Dr. SA, TX 78249
210-613-2097, 210-558-0396
210-690-8241 Fax

I, Kevin Ray Wilson, Registered Professional Surveyor number 5787, do hereby certify that a survey was made on the ground, under my supervision, on date of September 5, 2013, of the property hereon described and is correct to the best of my knowledge.

REVISED 9-12-13