

AN ORDINANCE 2013-12-19-0931

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.

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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 Lot 2, Block 2, NCB 9851 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 Two Dwelling Units.

SECTION 2. 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 3. The City Council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 4. 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 5. 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.

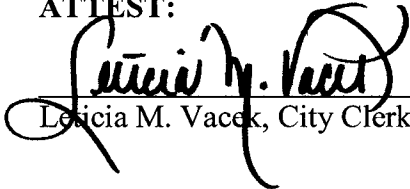
SECTION 6. This ordinance shall become effective December 29, 2013.

PASSED AND APPROVED this 19th day of December 2013.




M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



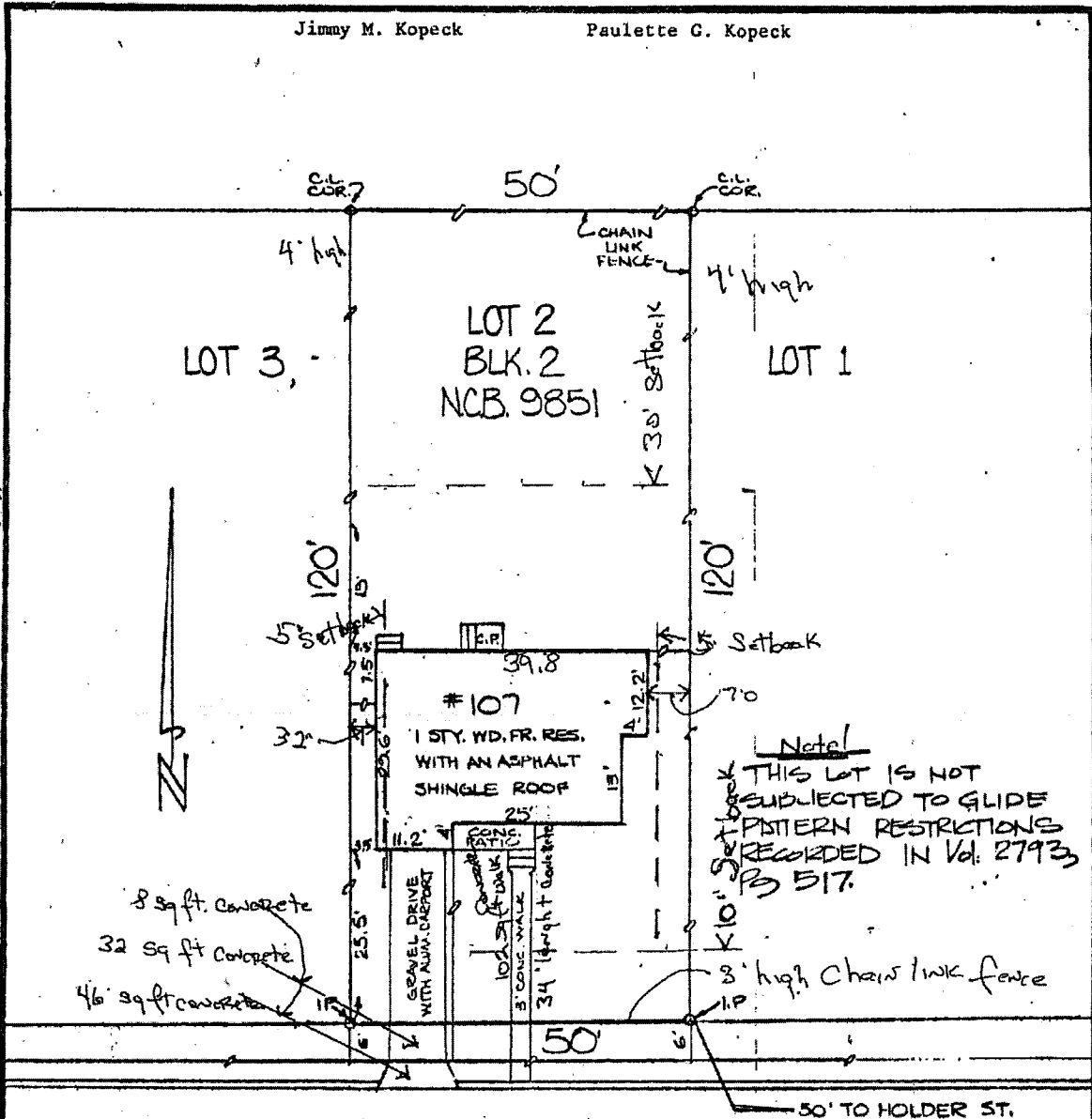
Robert F. Greenblum, City Attorney
for

Agenda Item:	Z-5
Date:	12/19/2013
Time:	02:15:49 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2014004 CD (District 4): 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 Two Dwelling Units on Lot 2, Block 2, NCB 9851 located at 107 Fernleaf Avenue. Staff recommends denial. Zoning Commission recommends approval.
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					
Joe Krier	District 9	x					
Carlton Soules	District 10		x				

Jimmy M. Kopeck

Paulette G. Kopeck



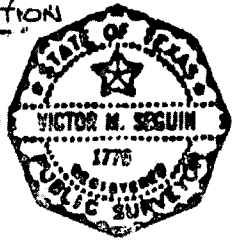
FERNLEAF AVE.
(50' R.O.W.)

I, *Jimmy M. Kopeck*, 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 my below Submittal for building permits.

**SURVEY PLAT
OF**

SCALE: 1"=20' [3' 10' 15' 20']

LOT 2 BLK 2 N.C.B. 9851
SUB'D. KELLY TERRACE ADDITION
VOL. 2805 PG. 95
ADDRESS 107 FERNLEAF AVE.
SAN ANTONIO, BEXAR CO., TEXAS
RES. -VOL. 2793, PG. 517



STATE OF TEXAS
VICTOR SEGUIN
SURVEYING & MAPPING CO.
P.O. BOX 17541 (826-3671)
SAN ANTONIO, TEXAS 78217

I hereby certify that the above plat is true and correct according to an actual survey made on the ground under my supervision, and that there are no visible encroachments or encroachments of buildings on adjoining property, and that all corner pins are truthfully located on this property except as shown above and that all corner pins have been located as indicated above on the date shown on this plat.

This 15TH day of MAR., 19 84 A.D.
Victor Seguin
Field Book _____ Page _____ Job No. 15744