

AN ORDINANCE 2016-11-03-0865

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 Lots 27 & 28, Block 82, NCB 3360 from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for Four (4) 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 **Exhibit "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.


SG/lj
11/03/2016
Z-4

CASE NO. Z2016208 CD

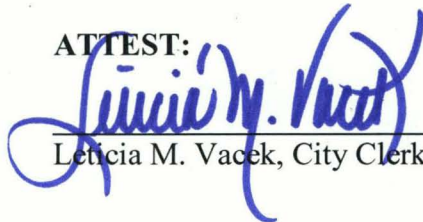
SECTION 5. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 6. This ordinance shall become effective the 13th day of November 2016.

PASSED AND APPROVED this 3rd day of November 2016.



M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



for City Attorney

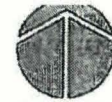
Agenda Item:	Z-4 (in consent vote: 22, Z-1, Z-2, Z-4, Z-5, Z-6, P-2, Z-7, Z-9, Z-11, P-4, Z-12, Z-13, P-5, Z-14, P-6, Z-15)						
Date:	11/03/2016						
Time:	02:05:58 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2016208 CD (Council District 3): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for Four (4) Dwelling Units on Lots 27 and 28, Block 82, NCB 3360, located at 455 Bailey Avenue. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x			x	
Ron Nirenberg	District 8	x					
Joe Krier	District 9		x				x
Michael Gallagher	District 10		x				

Z2016208

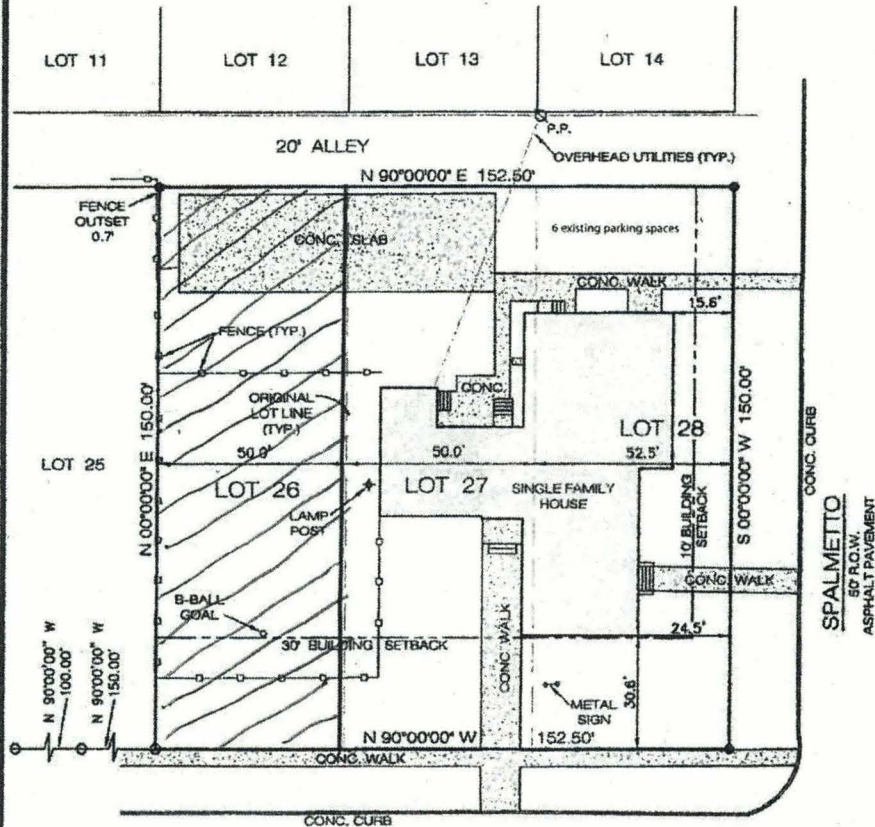
LEGEND:

- FND. 1/2" STEEL ROD
- CALCULATED POINT
- FENCE (TYP.)

NOTE: THE HEREIN REFERENCED PLAT OF HIGHLAND PARK, RECORDED IN VOLUME 642, PAGE 38 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS DOES NOT PROVIDE ANY BEARINGS, THEREFORE, THE BEARINGS FOR THIS SURVEY ARE BASED ON ASSUMPTION THAT BAILEY IS RUNNING DUE EAST AND WEST.



SCALE 1"=30'



BAILEY

60' R.O.W.
ASPHALT PAVEMENT

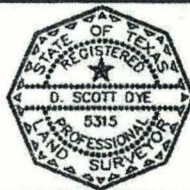
Existing Building Sq. Ft. 4094
Paved and hard surface Sq. ft. 1260

I Carl Smith, the property owner, acknowledge that this 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 rezoning case does not relieve me from adherence to any/all City adopted Codes at the time of plan submitted for building permits.

BUYER: BEVERLY S. SMITH AND CARL T. SMITH III
ADDRESS: 455 BAILEY
LOTS: 26, 27 AND 28 BLOCK: 82 N.C.B.: 3360
SUBDIVISION: HIGHLAND PARK
CITY: SAN ANTONIO COUNTY: BEXAR STATE: TEXAS
ACCORDING TO THE PLAT RECORDED IN VOLUME: 642 PAGE: 38
TITLE COMPANY: FIDELITY NATIONAL TITLE G.F. NO. 09-06008873
THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS AND EASEMENTS RECORDED IN:
VOL. 2153 PG. 326 VOL. 1819 PG. 305

DYE ENTERPRISES
TEXAS REGISTERED FIRM F-2337
4647 STARR RD., SUITE #3
SAN ANTONIO, TEXAS 78217
TEL. (214) 399-4133
FAX (214) 399-4191

DRAWN BY: J.R.C.
JOB NO: 090126-00
FIELD WORK COMP: 12-11-09



STATE OF TEXAS
COUNTY OF BEXAR
THE ABOVE SURVEY WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THERE ARE NO APPARENT EMBARRASMENTS, FURTHERS OR INTRUSIONS EXCEPT AS SHOWN. MUNICIPAL RECORDS NOT RESEARCHED.

THIS 14th DAY OF DECEMBER 2008, A.D.
D. Scott Dye
D. SCOTT DYE R.P.L.S. NO. 5315

EXHIBIT "A"