

AN ORDINANCE 2018-08-16-0640

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 0.23 acres out of NCB 3053 from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for three (3) residential dwelling units.

SECTION 2. A description of the property is attached as **Exhibit "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.

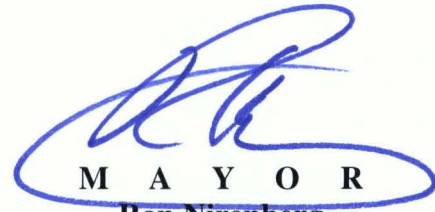
SECTION 4. The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "B"** and made a part hereof and incorporated herein for all purposes.

SECTION 5. 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 6. 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 7. This ordinance shall become effective August 26, 2018.

PASSED AND APPROVED this 16th day of August 2018.




M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Fa Andrew Segovia, City Attorney

Agenda Item:	Z-3 (in consent vote: 27, Z-3, Z-4, Z-5, Z-6, P-2, Z-7, P-4, Z-11, Z-14, Z-15, P-5, Z-18, Z-19)						
Date:	08/16/2018						
Time:	02:05:32 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2018218 CD (Council District 1): Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for three (3) residential dwelling units on 0.23 acres out of NCB 3053, located at 703 East Ashby Place. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				x
William Cruz Shaw	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x			x	
Clayton H. Perry	District 10		x				

SG/lj
08/16/2018
Item No. Z-3

EXHIBIT “A”

Z2018218

**CROSS BRANCH
SURVEYING**
2519 BOARDWALK
SAN ANTONIO, TEXAS 78217
(210) 828-1102

STATE OF TEXAS
COUNTY OF BEXAR

0.23 ACRE
703 E. ASHBY PL.

Description of a 0.23 acre tract of land out of Lot 8, Schumann Subdivision No. 3, a subdivision in the City of San Antonio, Bexar County, Texas according to the map or plat thereof recorded in Volume 105, Page 82 of the Map and Plat Records of Bexar County, Texas, being the east 49 feet of the west 82 feet of said Lot 8, SAVE AND EXCEPT those portions of Lot 8 conveyed to the City of San Antonio for Right-of-Way purposes and described in Volume 523, Page 409; Volume 618, Page 187; and Volume 1209, Page 592, all of the Deed Records of Bexar County, Texas, and further being all of that same tract of land incorrectly described as "The East 49 feet of Lot No. Eight (8)..." and conveyed to George J. Gisin, Jr. and wife, Kathleen K. Gisin by deed recorded in Volume 11305, Page 2008 of the Official Public Records of Bexar County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe found in the interior of said Lot 8 on the current north right-of-way line of Ashby Place for the southwest corner of that certain tract of land described as Lot 7A, N.C.B. 3053 and conveyed to Carmen R. Garza by deed recorded in Volume 3730, Page 1790 of the Official Public Records of Bexar County, Texas, same being the southeast corner and **POINT OF BEGINNING** of this herein described tract;

THENCE, N 65°21'17" W, over and across said Lot 8 with the current north right-of-way line of Ashby Place, a distance of 48.74 feet to a ½" iron rod found for the southwest corner of this herein described tract, same being the southeast corner of that certain tract of land described as parts of Lots 7 and 8 of N.C.B. 3053 and conveyed to Jorge Ibarra by deed recorded in Volume 14033, Page 246 of the Official Public Records of Bexar County, Texas;

THENCE, N 23°00'00" E (the bearing basis), leaving the north right-of-way line of Ashby Place, continuing over and across said Lot 8, passing at a distance of 116.15 feet a fence corner post found for the northeast corner of said Ibarra tract, same being the southeast corner of that certain 0.10 acre tract of land conveyed to Deseay, LLC by deed recorded in Volume 18260, Page 1239 of the Official Public Records of Bexar County, Texas, and continuing with the east line of said 0.10 acre tract for a total distance of 204.58 feet to a ½" iron rod found in the south right-of-way line of Valero Street for the northeast corner of said 0.10 acre tract, same being the northwest corner of this herein described tract;

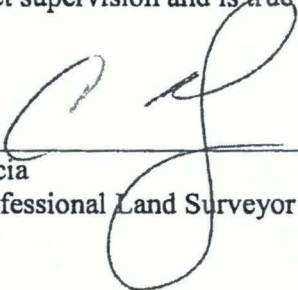
Exhibit "A"

72018218
THENCE, S 66°15'57" E, with the south right-of-way line of Valero Street, a distance of 48.72 feet to a ½" iron rod set for the northeast corner of this herein described tract, same being the northwest corner of said Lot 7A;

THENCE, S 23°00'00" W, with the west line of said Lot 7A, a distance of 205.36 feet to the **POINT OF BEGINNING** of this herein described tract, containing 0.23 acres (9,986 square feet) of land, more or less, within these metes and bounds.

Bearing basis: all field bearings are referenced to the west line of Lot 8 of said Schumann Subdivision as shown in Volume 105, Page 82 of the Deed and Plat Records of Bexar County, Texas.

I hereby certify that this survey was performed upon the ground June 26, 2017, under my direct supervision and is true and correct to the best of my knowledge.



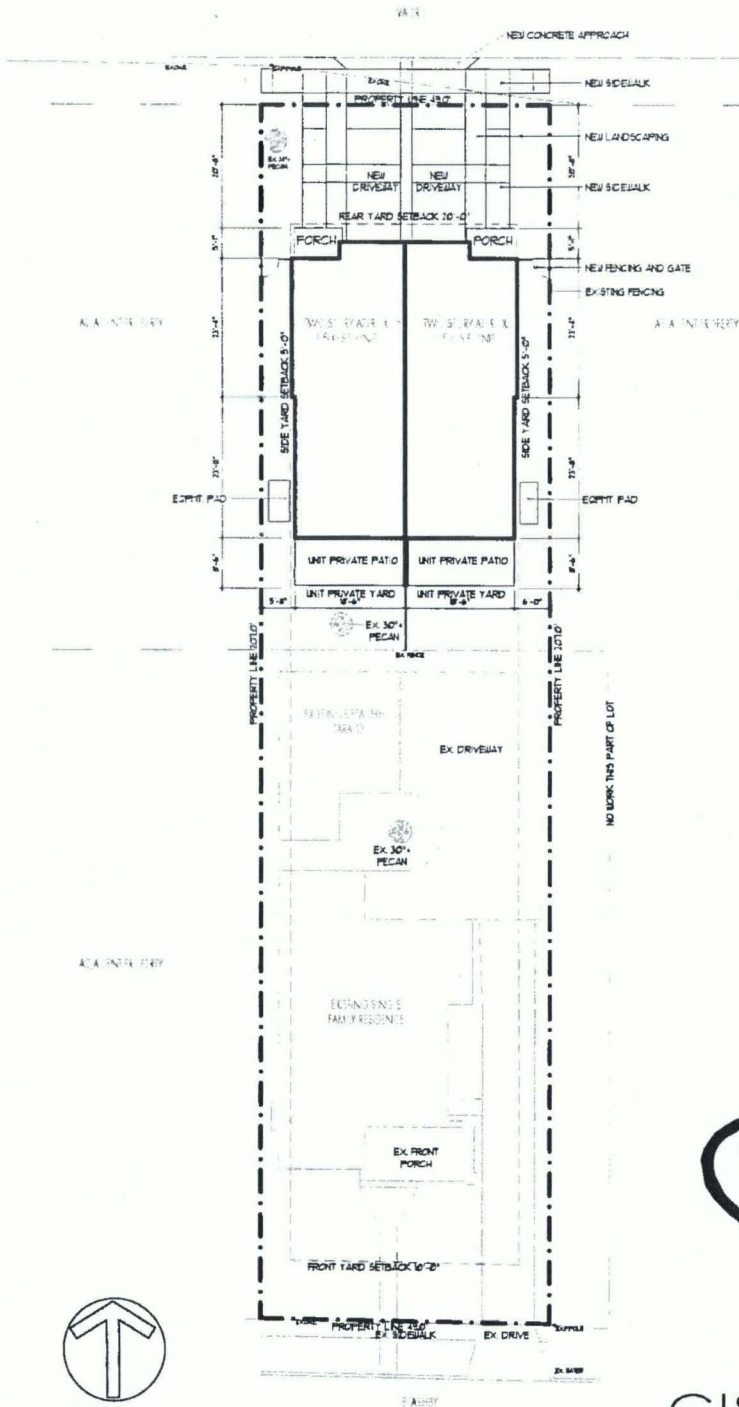
Caesar A. Garcia
Registered Professional Land Surveyor No. 5904
WO #17-6-5D



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EXHIBIT “B”

Z2018218

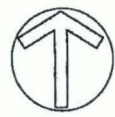


ADDRESS 203 EAST ASHBY
 OWNER GEORGE J. GISEN, JR. & KATHLEEN K. GISEN
 TOTAL ACERAGE .603 ACRES
 COGBA CITY COUNCIL DISTRICT 11
 LEGAL DESCRIPTION
 AN .603 ACRE TRACT OF LAND OUT OF LOT 8 SCHULMAN
 SUBDIVISIONS 1 & 2 SUBDIVISION IN BEAR COUNTY
 TEXAS BEING THE THE EAST 1/2 OF 1/2 OF 8 AC OF LOT
 8 & 1/2 AC & EXCEPT THOSE PORTIONS OF LOT 8
 CONVEYED TO THE CITY OF SAN ANTONIO FOR RIGHT OF
 WAY PURPOSES DESCRIBED IN VOLUME 503 PAGE 408
 VOLUME 63 PAGE 187 AND VOLUME 603 PAGE 408
 VOLUME 63 PAGE 187 AND VOLUME 603 PAGE 381 ALL
 OF THE DEED RECORDS OF BEAR COUNTY, TEXAS SEE
 ATTACHED FIELD NOTES

I, GEORGE J. GISEN, JR. THE PROPERTY OWNER, ACKNOWLEDGE OR
 THAT I HAVE BEEN AUTHORIZED FOR THE PURPOSE OF
 RECORDING THIS PROPERTY AS IN ACCORDANCE WITH THE
 CITY OF SAN ANTONIO'S CITY COUNCIL DISTRICT 11
 CODE ORDINANCE 11.18.001 AND THAT THE CITY COUNCIL
 APPROVAL OF THE BUILDING CONTRACT IN THIS
 RECORDING CASE DOES NOT RELIEVE ME FROM LIABILITY
 TO ANY ALL CITY CODES AT THE TIME OF PLAN
 SUBMITTAL FOR BUILDING PERMITS.
 RECORDING USE IS FOR RECORDING PURPOSES ONLY.

SIGNATURE
 GEORGE J. GISEN, JR.

PROPOSED STRUCTURES	798 SF
EXISTING STRUCTURES	1364 SF
EXISTING PREVIOUS PLANS	1738 SF
SUB-TOTAL	3900 SF
PROPOSED STRUCTURES	798 SF
PROPOSED PREVIOUS PLANS	640 SF
SUB-TOTAL	1438 SF
TOTAL PREVIOUS COVER	6552 SF
TOTAL LOT AREA	10028 SF
TOTAL PREVIOUS COVER	65%



PLAN NORTH
 01 SITE PLAN
 SCALE: 1"=30'-0"

GISEN RESIDENCE
 203 EAST ASHBY PLACE
 SAN ANTONIO, TEXAS

Exhibit "B"