

CITY OF SAN ANTONIO  
DEVELOPMENT SERVICES DEPARTMENT

CITY OF SAN ANTONIO  
STATE OF TEXAS

§  
§  
§

COUNTY OF BEXAR

**TO THE HONORABLE BOARD OF ADJUSTMENT:**

Property description (Attach field notes if necessary):

Lot no. 23

Block No. 1

NCB 6555 Property Address: 311 Norwood

Per Section 35-481 of the Unified Development Code (UDC), the Zoning Board of Adjustment is empowered to consider appeals of a decision made by an administration official.

The Applicant, Mary Johnson of Bexar County, alleges that

the following administrative official Mike Shannon, in his/her capacity as

Director

(Name of Official)

(Title of Official)

, made an incorrect decision, or interpretation regarding Section 35-515(a) & 517

of the UDC. This incorrect decision or interpretation was (List the section(s) of the UDC that was applied incorrectly. Provide details why the decision was incorrect or misinterpreted.): Please see attached addendum

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The correct decision or interpretation should be as follows (List the section(s) of the UDC that should be applied in this decision. Provide details how the decision should be made.): Please see attached addendum

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\*Note: Local Government Code § 211.010 (b) and San Antonio City Code § 35-481 (b)(1) require that the applicant give notice of the specific grounds for the appeal. Failure to state the reasons for the alleged error and applicable code sections will result in the return of your application. Please attach additional pages if necessary.

Respectfully submitted:

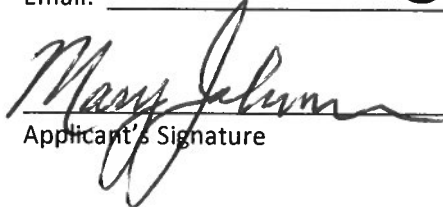
Applicant's name: Mary Johnson, President of Monte Vista Terrace NA

Status: Owner ( ) Agent ( )

Mailing address: 125 W Ridgewood Ct

Telephone: 210-821-5917 Alternate: 210-730-3247

Email: heartsdesiretx@gmail.com



Applicant's Signature

2/28/18

Date

Property Owner: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Alternate: \_\_\_\_\_

Email: \_\_\_\_\_

I, \_\_\_\_\_ the owner of the subject property, authorize

\_\_\_\_\_ to submit this application and represent me in this appeal before the Board of Adjustment.

Please include the following items with this appeal

- Documentation from City of San Antonio representing the decision you are appealing and proof that you are within the mandatory 30 day time limit to file the appeal.
- Sections of the UDC from which the decision was based, including all support sections which potentially reinforce your assertion that an error was made.
- Property Ownership documentation, including a copy of the warranty deed and Bexar County Appraisal District.
- Filing Fee of \$600.

## **Addendum**

### **Appeal to Board of Adjustment - City of San Antonio Monte Vista Terrace Neighborhood Association**

**From the Board of Zoning Adjustment Application form:**

**"This incorrect decision or interpretation was at..."**

- 1. UDC Chapter 35 Subsection 517 and Table 35-310 concerning Building Height**
- 2. UDC Chapter 35 Subsection 515(a) concerning the number of principal buildings to be on a lot.**

**"The correct decision or interpretation should be as follows:"**

- 1. The code official or his designee failed to apply Chapter 35 Subsection 517 to this plan review and subsequent permit. Had Subsection 517 been applied, the permit would have allowed only a 35 foot, 2 - 1/2 story building to be permitted and subsequently erected and not a 4 story building 48 feet nine inches in height.**
- 2. The Code Official or his designee failed to apply Chapter 35 Subsection 515(a) to this permit. Had Subsection 515(a) been applied to this plan review and subsequent permit, the permit would not have allowed four (4) principal buildings to be permitted and subsequently erected on one lot**

**At the hearing, the Appellant, Monte Vista Terrace Neighborhood Association, will present oral testimony and hard copy photographs and diagrams about the three issues that were not applied by the Code Official outlined herein including:**

- A. Legislative history of subsection 517 to prove the original intent of this section is to limit the height of any infill building to be 35 feet and 2-1/2 stories in height and does not only apply to additional height above 45 feet as interpreted by the Code Official.**

## **Addendum**

### **Appeal to Board of Adjustment - City of San Antonio Monte Vista Terrace Neighborhood Association**

#### **B. Oral testimony and exhibits about the negative impacts that this inadequately reviewed and subsequently issued permit for Norwood has upon the surrounding neighborhood including:**

- 1. Diagrams and testimony about the issued permits and the resulting negative impacts that the new buildings under the permit will have on this residential neighborhood and for the residents who will ultimately own and live in the property (a 4 unit Condominium).**
- 2. Diagrams and testimony showing how the permit would affect the residential R4 character of the existing neighborhood had the subsections cited herein been properly interpreted and applied to the permit.**
- 3. Diagrams and testimony about the site entrance, egress, parking and fire and life safety compromises that the Code Official has allowed due to the non-application of the cited Chapter 35 subsections to the plans and subsequent permit that is being appealed by this hearing.**

#### **C. Oral summary.**

**The oral testimony and summary will require 15 minutes.**

**Footnote: The Appellant filed an Open Records Request for information about this case on February 9, 2018. The Development Services Office claimed they lost the request, so a subsequent request was filed on February 13, 2018. Appellant still awaiting receipt of these necessary documents in order to present a complete, proper and compelling case. It is clear that the Development Services Department is trying to avoid document production due to its embarrassing culpable and incomplete review process. They are attempting to hide their negligence by deliberate and after the fact misrepresentation and misinterpretation or just plain old fashioned sloppy work omissions of the cited Chapter 35 subsections.**

WARRANTY DEED WITH VENDOR'S LIEN

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

Date: August 9<sup>th</sup>, 2016

Grantor: NANCY MURRAH GARZA, a/k/a NANCY MURRAH, a single person

Grantor's Mailing Address (including county):

307 W Norwood Ct San Antonio, Tx 78212

Grantee: GCM HOLDINGS, INC., a Texas corporation

Grantee's Mailing Address:

3267 Bee Cave Road, #107-157, Austin, Texas 78746

Consideration:

Ten and No/100 Dollars and other good and valuable consideration the receipt of which is hereby acknowledged and two notes of even date executed by Grantee and referred to as the first-lien note and the second-lien note. The first-lien note is in the principal amount of \$55,000.00 and is payable to the order of EQUITY TRUST COMPANY CUSTODIAN FBO CRAIG CIOFFARI IRA (hereinafter the "Lender"). The first-lien note is secured by the first and superior vendor's lien against, and superior title to, the Property, retained in favor of the First-Lien Lender in this deed and is also secured by a first-lien deed of trust of even date from Grantee to BENJAMIN K. WILLIAMS, Trustee. The second-lien note is in the principal amount of \$180,000.00 and is payable to the order of M HAJEK, LLC, as to an undivided 50.00% (\$90,000.00/\$180,000.00) interest; FREELAND ENTERPRISES, LLC 401K PLAN FBO DANIEL FREELAND, as to an undivided 25.00% (\$45,000.00/\$180,000.00) interest; and FREELAND ENTERPRISES, LLC 401K PLAN FBO TERESA FREELAND, as to an undivided 25.00% (\$45,000.00/\$180,000.00) interest (together the "Second-Lien Lender"). The second-lien note is secured by a second and inferior vendor's lien against, and superior title to, the Property retained in favor of the second-lien lender in this deed and is also secured by a second-lien deed of trust of even date from Grantee to BENJAMIN K. WILLIAMS, Trustee.

Property (including any improvements):

Lots 17 and 18, Block 1, New City Block 6555 of NORTHRIDGE ADDITION, City of San Antonio, Bexar County, Texas according to the plat thereof recorded in Volume

FAMTC - MAIN  
First American Title  
OF # 813693.LM

**Reservations from Conveyance:** None

**Exceptions to Conveyance and Warranty:**

Subject to the easements, assessments, restrictions, mineral interests and covenants of record against the hereinbefore described property, if any.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

The First-Lien Lender, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the first-lien note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of the First-Lien Lender and are transferred to the First-Lien Lender without recourse on Grantor to secure the first-lien note. The second and inferior vendor's lien against and superior title to the Property are retained for the benefit of the Second-Lien Lender and are transferred to the Second-Lien Lender without recourse on Grantor to secure the second-lien note. The Second-Lien Lender agrees that this second and inferior vendor's lien against and superior title to the Property are and will remain subordinate and inferior to all liens securing the first-lien note, regardless of the frequency or manner of renewal, extension, or alteration of any part of the first-lien note or the liens securing it.

When the context requires, singular nouns and pronouns include the plural.

  
NANCY MURRAH GARZA,  
a/k/a NANCY MURRAH

Doc# 20160164796  
# Pages 4  
08/23/2016 3:58PM  
e-Filed & e-Recorded in the  
Official Public Records of  
BEXAR COUNTY  
GERARD C. RICKHOFF  
COUNTY CLERK  
Fees \$34.00

STATE OF TEXAS  
COUNTY OF BEXAR  
This is to Certify that this document  
was e-FILED and e-RECORDED in the Official  
Public Records of Bexar County, Texas  
on this date and time stamped thereon.  
08/23/2016 3:58PM  
COUNTY CLERK, BEXAR COUNTY TEXAS

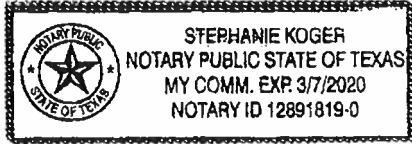


*Gerard C. Rickhoff*

THE STATE OF TEXAS

COUNTY OF Bexar

This instrument was acknowledged before me on the 9<sup>th</sup> day of August, 2016, by NANCY MURRAH GARZA, a/k/a NANCY MURRAH.



Stephanie Koger  
Notary Public, State of Texas

**PREPARED BY:**

Law Office of Ben Williams, PLLC  
12710 Research Blvd, Ste 115  
Austin, Texas 78759

0162-053  
LoBW/CAPSTONE/309WNorwood.GCM  
BKW/gcm



**Bexar CAD****Property Search Results > 379151 GCM HOLDINGS  
INC for Year 2017**

Tax Year: 2017

**Property****Account**

Property ID:	379151	Legal Description:	NCB 6555 BLK 1 LOT 17& 18
Geographic ID:	06555-001-0170	Zoning:	MF-33
Type:	Real	Agent Code:	
Property Use Code:	001		
Property Use Description:	Single Family		

**Protest**

Protest Status:  
Informal Date:  
Formal Date:

**Location**

Address:	309 W NORWOOD CT SAN ANTONIO, TX 78212	Mapsco:	582D7
Neighborhood:	ALTA VISTA II	Map ID:	
Neighborhood CD:	57033		

**Owner**

Name:	GCM HOLDINGS INC	Owner ID:	3024245
Mailing Address:	3267 BEE CAVES RD # 107-157 AUSTIN, TX 78746-6700	% Ownership:	100.0000000000%
		Exemptions:	

**Values**

(+) Improvement Homesite Value:	+	\$157,720	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$45,550	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
-----			
(=) Market Value:	=	\$203,270	
(-) Ag or Timber Use Value Reduction:	-	\$0	
-----			
(=) Appraised Value:	=	\$203,270	
(-) HS Cap:	-	\$0	
-----			
(=) Assessed Value:	=	\$203,270	

Property Identification #: 1275854

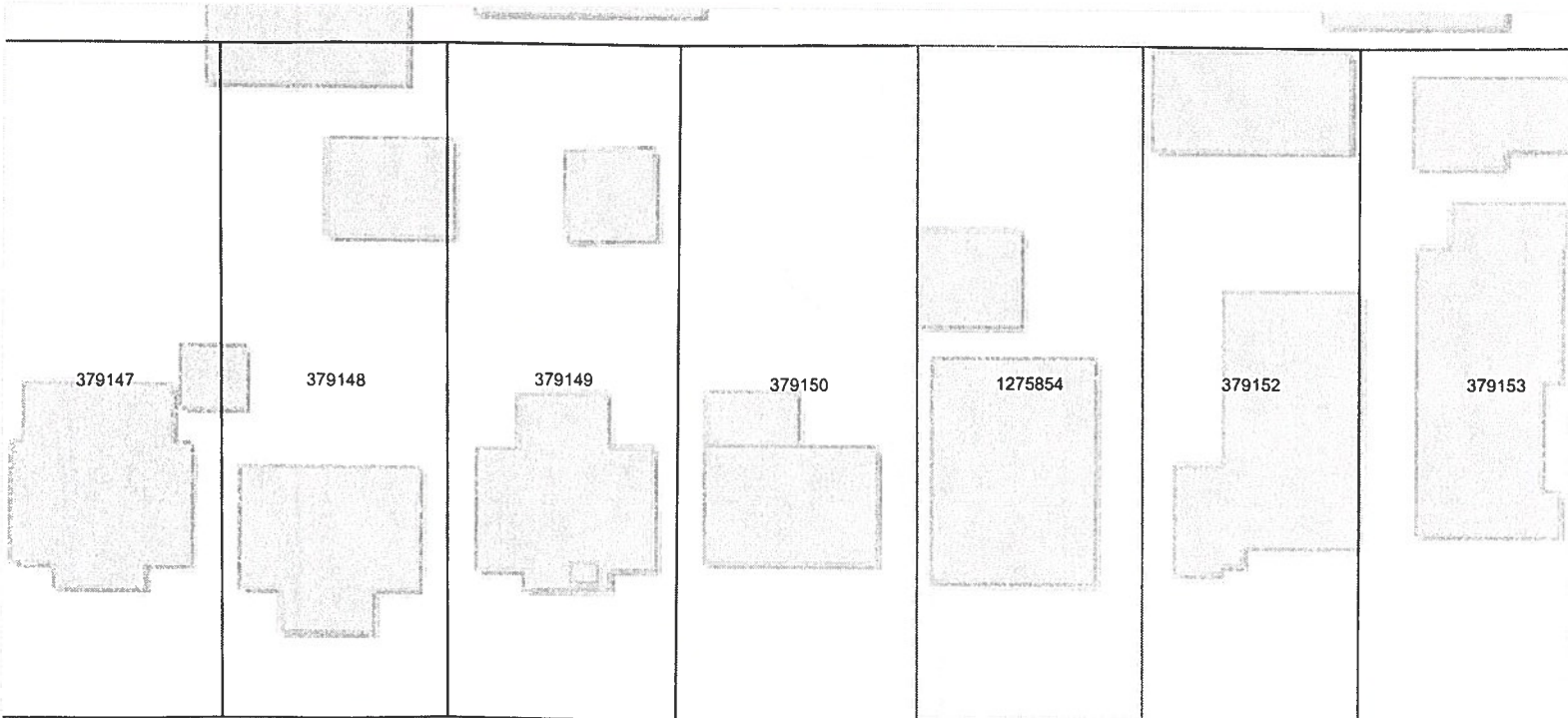
Property Information: 2018

Owner Identification #: 3024245

Geo ID: 06555-001-0230  
Situs W NORWOOD CT SAN ANTONIO,  
Address: TX 78212  
Property Type: Real  
State Code: 01

Legal Description: NCB 6555 (ANDROIT URBAN LIVING WEST NORWOOD), BLOCK 1 LOT 23  
Abstract: 9724/1  
Neighborhood: Null  
Appraised Value: N/A  
Jurisdictions: 11, 21, 08, 10, 06, CAD, 09, 57

Name: GCM HOLDINGS INC  
Exemptions:  
DBA: Null



BCAD, Texas Parks & Wildlife, Esri, HERE, Garmin

Bexar CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.

*Error in text and mapping*

### Taxing Jurisdiction

Owner: GCM HOLDINGS INC  
 % Ownership: 100.000000000000%  
 Total Value: \$203,270

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
06	BEXAR CO RD & FLOOD	0.012868	\$203,270	\$203,270	\$26.15
08	SA RIVER AUTH	0.017290	\$203,270	\$203,270	\$35.15
09	ALAMO COM COLLEGE	0.149150	\$203,270	\$203,270	\$303.17
10	UNIV HEALTH SYSTEM	0.276235	\$203,270	\$203,270	\$561.51
11	BEXAR COUNTY	0.291229	\$203,270	\$203,270	\$591.99
21	CITY OF SAN ANTONIO	0.558270	\$203,270	\$203,270	\$1,134.80
57	SAN ANTONIO ISD	1.532600	\$203,270	\$203,270	\$3,115.32
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$203,270	\$203,270	\$0.00
Total Tax Rate:		2.837642			
Taxes w/Current Exemptions:					\$5,768.09
Taxes w/o Exemptions:					\$5,768.07

### Improvement / Building

Improvement #1:	Residential	State Code:	A1	Living Area:	2891.0 sqft	Value: \$152,880
Type	Description	Class CD	Exterior Wall	Year Built	SQFT	
LA	Living Area	A - AB		1941	1008.0	
LA2	Living Area 2nd Level	A - AB		1941	1008.0	
LA1	Additional Living Area	A - AB		2010	875.0	

Improvement #2:	Residential	State Code:	A1	Living Area:	sqft	Value: \$4,840
Type	Description	Class CD	Exterior Wall	Year Built	SQFT	
DLA1	Detached Living Area 1	F - NO		1941	483.0	

### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RES	R/1 Family not Farm Single	0.1676	7300.00	50.00	146.00	\$45,550	\$0

### Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2017	\$157,720	\$45,550	0	203,270	\$0	\$203,270
2016	\$43,560	\$32,560	0	76,120	\$0	\$76,120
2015	\$38,720	\$32,560	0	71,280	\$0	\$71,280
2014	\$75,580	\$32,560	0	108,140	\$0	\$108,140


### Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
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1	8/9/2016	Deed	Deed	GARZA NANCY MURRAH	GCM HOLDINGS INC	18044	858	20160164796
2	12/23/2003	Deed	Deed		GARZA, NANCY MURRAH	10488	0758	0
3	12/18/2002	Deed	Deed		LAND RESOURCES CORPORATION	9736	0160	0

**Tax Due**

Property Tax Information as of 02/27/2018

Amount Due if Paid on:  -

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount / Penalty & Interest	Attorney Fees	Amount Due
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NOTE: Penalty & Interest accrues every month on the unpaid tax and is added to the balance. Attorney fees may also increase your tax liability if not paid by July 1. If you plan to submit payment on a future date, make sure you enter the date and RECALCULATE to obtain the correct total amount due.

**2018 data current as of Feb 26 2018 12:40AM.**

**2017 and prior year data current as of Feb 2 2018 9:41AM**

**For property information, contact (210) 242-2432 or (210) 224-8511 or email.**

**For website information, contact (210) 242-2500.**

Please be advised that time frame for filing appeal, begins from date of reissue of revoked permits.  
we have attached copies of emails pertaining to reissue. February 9th.

Thank you





Re-instatement  
of permit that was  
previously revoked

Shari Lu <singerinsa@gmail.com>

**FW: [EXTERNAL] URGENT- REVISED PLAN NORWOOD GCM HOLDINGS INC - AP#M2252360**

Catherine J Hernandez (DSD) <Catherine.Hernandez@sanantonio.gov>

Tue, Feb 20, 2018 at 1:32 PM

To: "singerinsa@gmail.com" <singerinsa@gmail.com>

Cc: "Melissa Ramirez (DSD)" <Melissa.Ramirez@sanantonio.gov>, "Michael Shannon (DSD)"

<Michael.Shannon@sanantonio.gov>, "Chrissy McCain (City Council)" <Chrissy.McCain@sanantonio.gov>

Good afternoon Sharon,

Below is the email that reinstated the permit. Let me know if you have any questions. Thanks! Cat

Catherine Hernandez

Development Services Administrator

Land Development Division

Development Services Department

City of San Antonio

210.207.5085 – Direct

210.207.4459 – Fax

210.207.1111 – Customer Service

[catherine.hernandez@sanantonio.gov](mailto:catherine.hernandez@sanantonio.gov)<mailto:catherine.hernandez@sanantonio.gov>

<http://www.sanantonio.gov><<http://www.sanantonio.gov>>

Please take a moment and tell us how we are doing by taking our survey: <http://www.sanantonio.gov/dsd/survey.asp>

From: Kevin Collins (DSD)

Sent: Friday, February 09, 2018 9:04 AM

To: [corporate@gcmholdingsinc.com](mailto:corporate@gcmholdingsinc.com); Catherine J Hernandez (DSD); Allen York (DSD)

Cc: 'Robert Moritz'; 'Gabriel Durand-Hollis'; Michael Shannon (DSD); Richard Chamberlin (DSD); Florence Diaz (DSD);

Jim Clark (DSD); Crystal Kastner (DSD)

Subject: RE: [EXTERNAL] URGENT- REVISED PLAN NORWOOD GCM HOLDINGS INC - AP#M2252360

Ms. Goldin,

Be advised that after review the department has removed the Stop Work status from this permit. **The building permit is currently re-instated.** There are still some pending reviews of the revisions for Building and Electrical and further information or modifications may be required, but the work may continue at this time as we are treating these items as post-permit revisions. There is also currently a denial from the Tree review section for which you should receive a review memo this morning. Please have your team address these comments as soon as possible. Thank you for your patience with the process.

Respectfully,

Kevin Collins, P.E.

Development Services Engineer

Development Services Department

Phone: (210) 207-2806

Email: [Kevin.Collins@sanantonio.gov](mailto:Kevin.Collins@sanantonio.gov)<mailto:Kevin.Collins@sanantonio.gov>

Our Mission: "Partnering With Our Community to Build and Maintain a Safer San Antonio"

Tell Us How We're Doing, Complete a Survey: <http://www.sanantonio.gov/DSD/About/survey.asp><<http://www.sanantonio.gov/dsd/survey.asp>>x

[Development Services Department Icon][cid:image001.jpg@01D1C70B.38075F70]

From: [corporate@gcmholdingsinc.com](mailto:corporate@gcmholdingsinc.com)<mailto:corporate@gcmholdingsinc.com> [<mailto:corporate@gcmholdingsinc.com>]

Sent: Thursday, February 01, 2018 10:12 AM

To: Catherine J Hernandez (DSD); Kevin Collins (DSD); Allen York (DSD)

Cc: [corporate@gcmholdingsinc.com](mailto:corporate@gcmholdingsinc.com)<<mailto:corporate@gcmholdingsinc.com>>; 'Robert Moritz'; 'Gabriel Durand-Hollis'

Subject: [EXTERNAL] URGENT- REVISED PLAN NORWOOD GCM HOLDINGS INC

Importance: High

Hi all,

Attached are the revised plans for Norwood, these revisions include an increase in the driveway width (18ft 4") and two additional parking spaces to the site/buildings. In order to add the additional parking, we had to remove the elevator on the first floor in unit 4. Please let us know if these changes are acceptable to remove the stop work order. We are hopeful that these changes will satisfy the requirements and construction will continue in the next couple of days. If it is acceptable, we will drop off large copies of the plans immediately.

Please let me know at your earliest convenience.

Thanks You,

Stephanie Goldin, VP  
GCM Holdings Inc.  
[512-347-8744](tel:512-347-8744)- Austin Office  
[512-293-0989](tel:512-293-0989)- cell

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**\*\*THIS EMAIL IS FROM AN EXTERNAL SENDER OUTSIDE OF THE CITY.**

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**2 attachments**

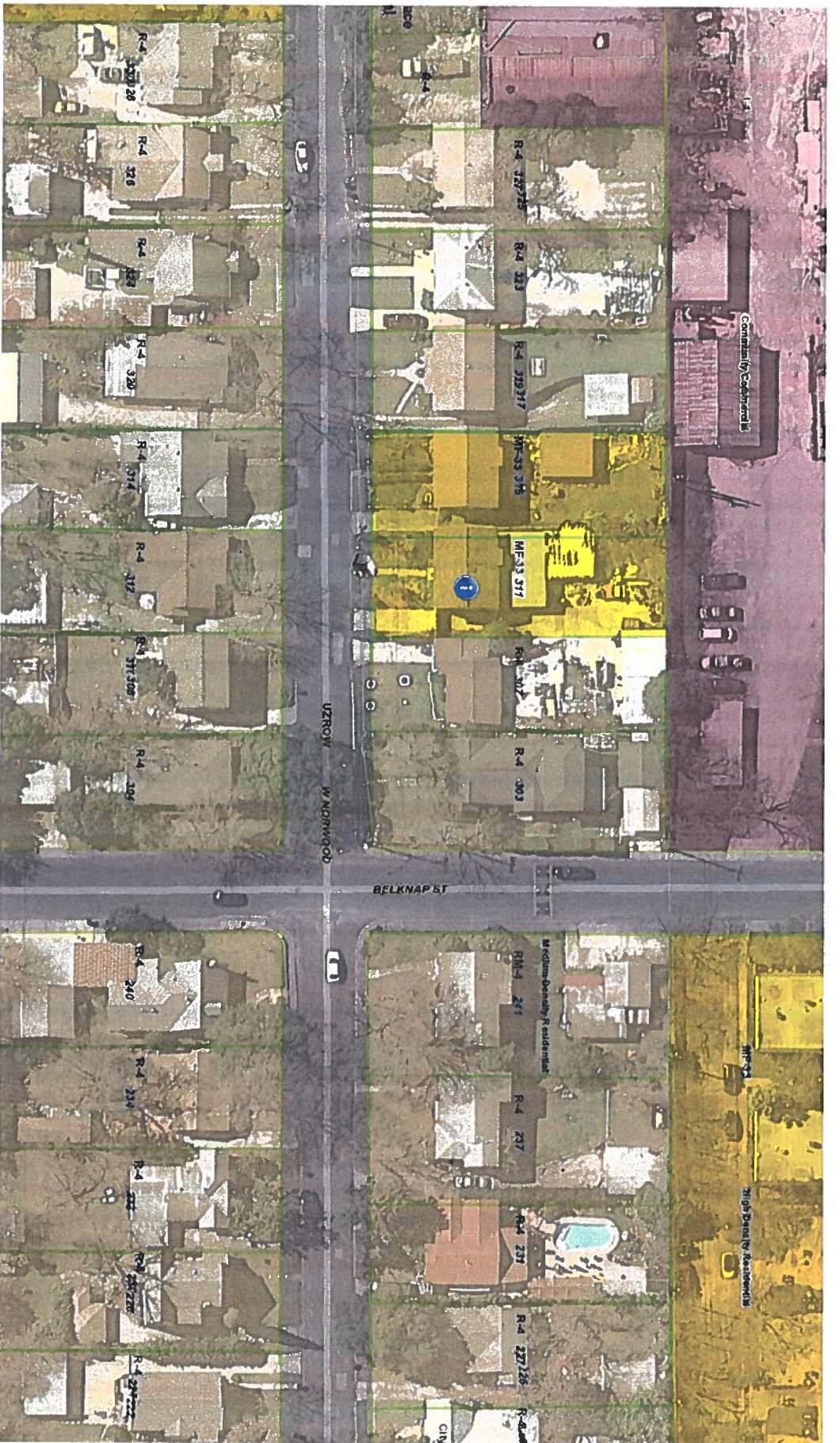


**image001.jpg**  
3K



**image002.jpg**  
4K






**Flex Viewer**  
**Powered by ArcGIS Server**

Printed: Feb 28, 2018

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**Flex Viewer**
  
**Powered by ArcGIS Server**
  
 Printed: Feb 28, 2018

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