SG/lj
06/02/2016
Z-3 - Amended

CASE NO. Z2016136 CD

AN ORDINANCE 2016-06-02-0412

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 0.113 acres of land out of NCB 2023 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 a maximum of two (2) residential dwelling units.

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 approves this Conditional Use so long as the attached site plan is adhered to, notwithstanding there will be a maximum of two (2) residential dwelling units. A site plan is attached as Attachment "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 June 12th 2016.

PASSED AND APPROVED this 2nd day of June 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For Martha G. Sepeda, Acting City Attorney

Agenda Item:	**Z-3**
Date:	06/02/2016
Time:	02:27:56 PM
Vote Type:	Motion to Appr w Cond
Description:	ZONING CASE # Z2016136 CD (Council District 1): 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 Three (3) Residential Dwelling Units on 0.113 acres of land out of NCB 2023, located at 2002 North Calaveras. Staff and Zoning Commission recommend Denial with Alternate Recommendation.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x			x	
Alan Warrick	District 2		x				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				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

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Z20116136

GENERAL WARRANTY DEED WITH VENDOR'S LIEN IN FAVOR OF THIRD PARTY

NOTICE OF CONFIDENTIALITY: 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.

25016397-TM

THE STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BEXAR §

FILED BY
ALAMO TITLE

THAT LOIS C. JOHNSON FAMILY GST EXEMPTION TRUST

(hereinafter called "GRANTORS" whether one or more), for and in consideration of the sum of TEN DOLLARS ($10.00) and other good and valuable considerations cash in hand paid by TED H. GONZALES, A SINGLE PERSON

whose address is 2002 N. CALAVERAS, SAN ANTONIO, TX 78201

(hereinafter called "GRANTEES" whether one or more), the receipt and sufficiency of which are hereby acknowledged and confessed, and the further consideration of the advancement and payment in cash of all or part of the purchase price hereof by Beneficiary at the special instance and request of Grantee under that certain note in the principal sum of Fifty Five Thousand Nine Hundred Sixty Two And No/100ths ($ 55,962.00) payable to the order of SWBC MORTGAGE CORPORATION (hereinafter referred to as "BENEFICIARY") of even date herewith, said note bearing interest at the rate therein provided, principal and interest being due and payable in monthly installments as therein set out, and providing for attorney's fees and acceleration of maturity at the rate and in the events therein set forth, which note is secured by the Vendor's Lien herein reserved and is additionally secured by a Deed of Trust of even date herewith, executed by the Grantees herein to EDWARD KERSHNER, Trustee, reference to which is here made for all purposes; and in consideration of the payment of the sum above mentioned by the Beneficiary above mentioned, Grantors hereby transfer, set over, assign and convey unto said Beneficiary and assigns, the Vendor's Lien and Superior Title herein retained and reserved against the property and premises herein conveyed, in the same manner and to the same extent as if said note had been executed in Grantors' favor and by said Grantors assigned to the Beneficiary without recourse; have GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto the said Grantees herein, the following described property, together with all improvements thereon, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

TO HAVE AND TO HOLD the above described premises, together with, all and singular, the rights and appurtenances thereto in any wise belonging, unto the said Grantees, their heirs and assigns forever. And Grantors do hereby bind themselves, their heirs, executors and administrators, to warrant and forever defend all and singular, the said premises unto the said Grantees, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. Taxes for the

current year have been prorated and are assumed by Grantee. This conveyance is made and accepted subject to any and all validly existing restrictions, mineral reservations and interests, conditions, covenants, easements, and rights of way, if any, applicable to and enforceable against the above described property as now reflected by the records of the County Clerk in said County and State and to any applicable zoning laws or ordinances.

But it is expressly agreed and stipulated that the Vendor's Lien and the Superior Title are retained and reserved in favor of the payee in said note against the above described property, premises and improvements, until said note, and all interest thereon is fully paid according to the face and tenor, effect and reading thereof, when this deed shall become absolute.

When this deed is executed by one person, or when the Grantee is one person, the instrument shall read as though pertinent verbs and pronouns were changed to correspond, and when executed by or to a corporation the words "heirs, executors and administrators" or "heirs and assigns" shall be construed to mean "Successors and assigns".

Dated this the 14th day of August, 2009

RANDALL THOMAS JOHNSON, TRUSTEE

By: Randall Thomas Johnson

THE STATE OF TEXAS
COUNTY OF Bexar

This instrument was acknowledged before me on August 14, 2009 by Randall T. Johnson

Notary Public, State of Texas

ANGELA MARRERO
NOTARY PUBLIC
STATE OF TEXAS
EXPIRES
7-27-2011

RETURN TO:
TED H. GONZALES
2002 N. CALAVERAS
SAN ANTONIO, TX 78201

PB554-2.1105

Z2016136

GF No. 09-25016397

EXHIBIT "A"

A tract or parcel of land out of Lots Ten (10) and Eleven (11), Block Fourteen (14), New City Block Two Thousand Twenty-Three (2023), in the City of San Antonio, Bexar County, Texas, and being more fully described as follows:

Beginning at the Northeast corner at the intersection of Calaveras Street and Texas Avenue, same being the Southwest corner of the aforesaid Lot 10;

Thence East with the North line of Texas Avenue a distance of 99.2 feet;

Thence North parallel with Calaveras Street a distance of 50 feet;
Thence West a distance of 99.2 feet to East line of Calaveras Street;
Thence South 50 feet to the Place of Beginning.

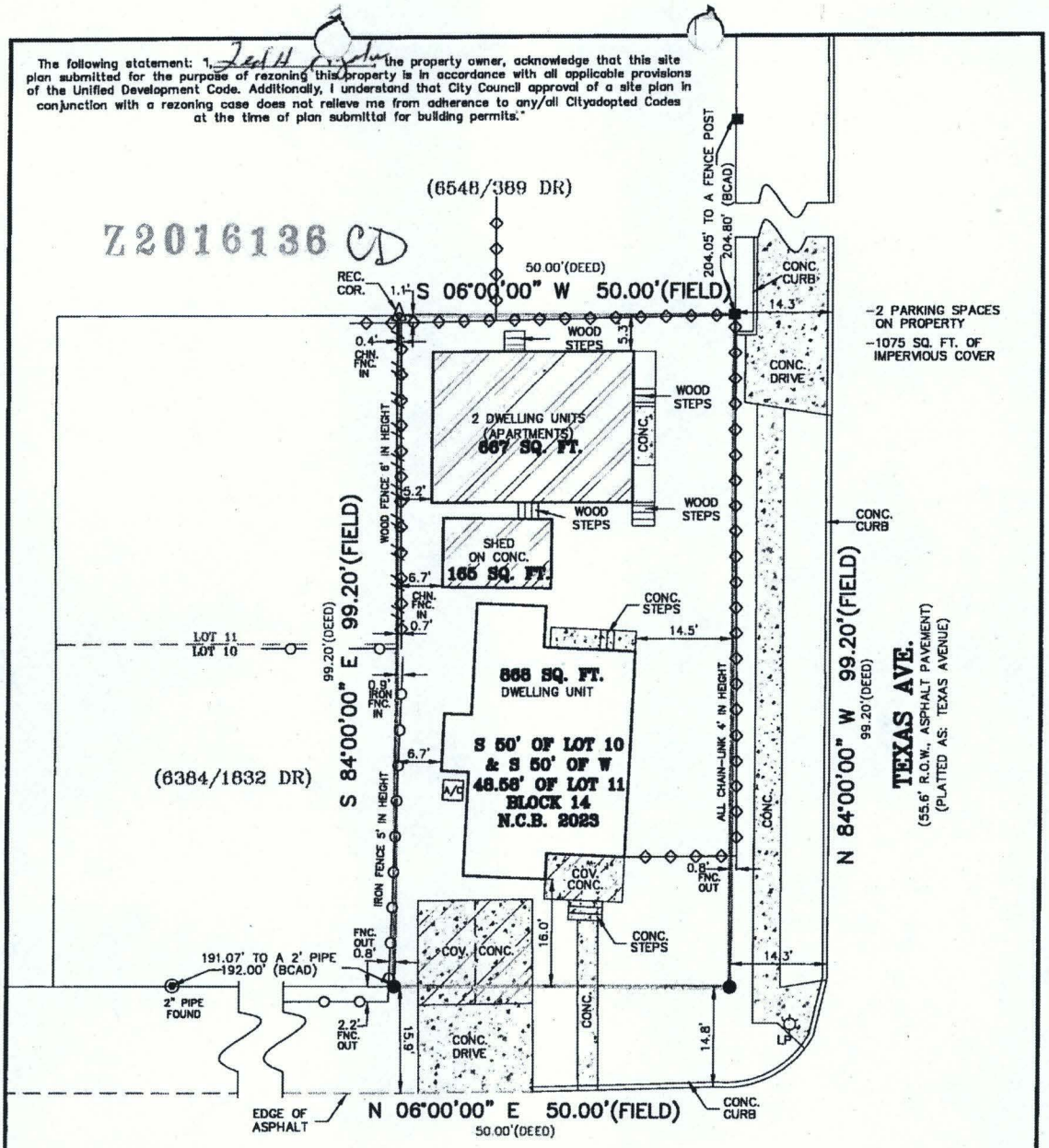
Doc# 20090159649
Pages 4
08/17/2009 14:54:29 PM
e-Filed & e-Recorded in the
Official Public Records of
BEXAR COUNTY
GERARD RICKHOFF COUNTY CLERK

Fees 24.00

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.
08/17/2009 14:54:29 PM
COUNTY CLERK, BEXAR COUNTY TEXAS

The following statement: I, Joel H. Sprader, 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 a rezoning case does not relieve me from adherence to any/all Cityadopted Codes at the time of plan submittal for building permits."

Z2016136 CD



N. CALAVERAS
(USPS: N. CALAVERAS)
(55.6' R.O.W., ASPHALT PAVEMENT)
(PLATTED AS: N. CALAVERAS STREET)

1" = 20'
GRAPHIC SCALE
0 10 20

NOTE: AMENDED TO SHOW REQUIRED INFORMATION FOR ZONING APPLICATION ONLY.

DRAWING AMENDED: MARCH 18, 2016

NOTE: DUE TO LACK OF MONUMENTATION, SURVEY IS DRAWN PER FIELD CONDITIONS.

NOTE: THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. CONFLICTS IN TITLE, EASEMENTS OR SETBACKS ARE NOT CERTIFIED HEREON. FIELD CONDITIONS ARE AS SHOWN.

INSURED: LAGUNA GRANDE CUSTOMS HOMES	ADDRESS: 2002 N. CALAVERAS
TITLE COMPANY: ~	G.F. NO.: ~
LOT: S 50' OF LOT 10 & S 50' OF W 48.58' OF LOT 11	BLOCK: 14 N.C.B: 2023
SUBDIVISION: ~	
CITY: SAN ANTONIO	COUNTY: BEXAR STATE: TEXAS
PLAT RECORDED IN: VOLUME ~ PAGE ~	DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS

LEGEND:
-//- = WOOD FENCE
-o- = CHAIN LINK FENCE
-x- = BARBED WIRE FENCE
-o- = WROUGHT IRON FENCE
■ = FND FENCE POST
⊗ = POWER POLE
= FIRE HYDRANT
O = FND ½" IRON ROD
● = SET ½" IRON ROD
X = SET "X" ON CONC.

THIS PROPERTY IS SUBJECT TO RECORDED RESTRICTIVE COVENANTS AND/OR EASEMENTS AS FOLLOWS: (PER TITLE COMMITMENT)

VOLUME 14132 PAGE 1495 REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS	VOLUME ~ PAGE ~ REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS
VOLUME ~ PAGE ~ REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS	VOLUME ~ PAGE ~ REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS
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33 YEARS OF EXPERIENCE
SOUTH CENTRAL SURVEYORS
IN SOUTH TEXAS
P.O. BOX 100442
SAN ANTONIO, TX 78201
PHONE: 210-534-8700
FAX: 210-534-9873

GENERAL NOTES

1. UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND\OR OTHER UNDERGROUND ITEMS OR EASEMENTS ARE NOT LOCATED BY THIS SURVEY.
2. SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
3. THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON. LIABILITY TO THIRD PARTIES MAY NOT BE TRANSFERRED OR ASSIGNED.

STATE OF TEXAS REGISTERED PETER AGUIRRE 5464 PROFESSIONAL LAND SURVEYOR

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE DRAWING IS A TRUE DEPICTION OF CURRENT FIELD CONDITIONS AND THERE ARE NO ENCROACHMENTS OF BUILDINGS EXCEPT AS SHOWN ABOVE ACCORDING TO A SURVEY MADE ON THE GROUND OF THE PROPERTY COMPLETED UNDER MY SUPERVISION ON THIS, THE 13th DAY OF JANUARY 2016, A.D.

PETER A. AGUIRRE, R.P.L.S. 5464

DRAWN BY: N.ALANIZ	JOB NO: 16-0010-001	FIELD WORK COMP.: JANUARY 13, 2016

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