

REGULAR MEETING OF THE COMMISSIONERS OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBER OF THE CITY HALL, THURSDAY, JANUARY 20TH, 1949, AT 10:00 A.M.

PRESENT:

Callaghan, Hein, Knight and South; Absent, Davis; Mayor Callaghan presiding

On motion of Commissioner Hein, seconded by Commissioner Knight, to dispense with the reading of the minutes of the previous meeting: Motion carried by a roll call vote, to-wit: Ayes, Callaghan, Hein, Knight and South; Nays, Davis (absent).

THE FOLLOWING PETITIONS WERE PRESENTED AND REFERRED:

Commissioner of Streets and Public Improvements:

Petition of Joseph Baecke requesting approval of a plat of Lots 23, 24, 25, 26, 27, 52, 53, 54, 55, 56 and the East one-half of Lots 28 and 57, Block 2, and part of Tract 4 and 5, Block 6, out of Mount Vernon Homesites Addition, County Block 5536, known as the Baecke Subdivision (second filing).

Petition of the Alamo Lumber Company, filed by Reynolds Andricks, C. E., requesting approval of a Vacating and Resubdivision Plat of the South 305.0' of the East 173.3' of Lot 4, NCB 7465; and the South 305.0' of Lots 5 and 6, NCB 7842; and the West part of Lot 7, NCB 7844.

Committee of the Whole:

Petition of the Board of Trustees of the Grace Lutheran Sanatorium, filed by Herman H. Ochs, President and Superintendent, requesting the City to close past of San Fernando Street.

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The following ordinances were presented by the Mayor and various Commissioners, and were passed and approved by a roll call vote, to-wit: Ayes, Callaghan, Hein, Knight and South; Nays, Davis (absent).

Mayor Callaghan for  
Commissioner Davis:

APPRO. NO. 1034

AN ORDINANCE 8737

APPROPRIATING \$50,035.62 (\$50,000.00 OUT OF THE 1948 GENERAL FUND, TAXES, LICENSES, FINES ETC. ACCOUNT AND \$35.62 OUT OF THE 1948 GENERAL FUND, PROCEEDS OF NOTES, INTEREST DEPARTMENT) TO PAY TWO (2) NOTES, NOS. 57 AND 58, PAYABLE TO THE NATIONAL BANK OF COMMERCE.

( Full text in Ordinance Book R, page 520

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APPRO. NO. 1035

AN ORDINANCE 8738

APPROPRIATING \$180.00 OUT OF THE BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 8, SINKING FUND, PAYABLE TO DAVIS, CLEMENS, KNIGHT & WEISS, ATTORNEYS AT LAW, FOR SERVICES RENDERED DURING THE CALENDAR YEAR 1948.

( Full text in Ordinance Book R, page 520

Com. Hein:

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APPRO. NO. 1036

AN ORDINANCE 8739

APPROPRIATING \$1,000.00 OUT OF THE SECURITY TRUST FUND, TO PAY THE CITY OF SAN ANTONIO ON THE ACCOUNT OF JACK THURMAN CONSTRUCTION COMPANY.

( Full text in Ordinance Book R, page 521 )

Com. Knight:

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APPRO. NO. 1037

AN ORDINANCE 8740

APPROPRIATING \$600.00 OUT OF THE 1948 GENERAL FUND, PROCEEDS OF NOTES, STREET MAINTENANCE, TO PAY DULANEY SERVICE COMPANY FOR 1 GALLON FRAME POWER CONTROL BOX, CIRCLE TURN AND MOLDBOARD AND 2 FRONT WHEELS AND AXLE.

( Full text in Ordinance Book R, page 521

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APPRO. NO. 1038

AN ORDINANCE 8741

APPROPRIATING \$283.05 OUT OF THE STREET AND BRIDGE C-45 FUND, TO PAY BELFAST CO., FOR 2000 GALLONS OF CCLAS ASPHALT EMULSION.

( Full text in Ordinance Book R, page 521

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APPRO. NO. 1039

AN ORDINANCE 8742

APPROPRIATING \$2,586.65 OUT OF THE 1948 GENERAL FUND, PROCEEDS OF NOTES, STREET MAINTENANCE, TO PAY BELFAST SUPPLY COMPANY FOR 18,000 GALLONS OF COLAS ASPHALT EMULSION AND FREIGHT INCREASE.

( Full text in Ordinance Book R, page 521

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APPRO. NO. 1040

AN ORDINANCE 8743

APPROPRIATING \$398.00 OUT OF SANITARY SEWER PLANT & SYSTEM A-47 FUND, TO PAY ED DUDERSTADT FOR DRILLING TEST HOLES AT EAST LINE SEWER LINE IN ACCORDANCE WITH CONTRACT.

( Full text in Ordinance Book R, page 522

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APPRO. NO. 1041

AN ORDINANCE 8744

APPROPRIATING \$2,597.00 OUT OF SANITARY SEWER PLANT & SYSTEM A-47 FUND, TO PAY TEXAS EXPLORATION SURVEYS, INC., FOR FURNISHING ENGINEER FIELD PARTIES, IN CONNECTION WITH MAKING PROPERTY SURVEYS AND RIGHT-OF-WAY MAPS FOR EAST SIDE, NORTH SIDE AND WEST SIDE SEWERS.

( Full text in Ordinance Book R, page 522

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APPRO. NO. 1042

AN ORDINANCE 8745

APPROPRIATING \$332.00 OUT OF STREET & BRIDGE C-45 FUND, TO PAY TEXAS EXPLORATION SURVEYS, INC., FOR FURNISHING ENGINEER FIELD PARTIES IN CONNECTION WITH MAKING PROPERTY AND RIGHT-OF-WAY MAPS FOR SOUTH MAIN AVENUE EXTENSION, WEST NUEVA STREET WIDENING AND FIVE POINTS TRAFFIC CIRCLE.

( Full text in Ordinance Book R, page 522

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APPRO. NO. 1043

AN ORDINANCE 8746

APPROPRIATING \$682.00 OUT OF 1948 GENERAL FUND, PROCEEDS OF NOTES, SEWER MAINTENANCE, TO TEXAS EXPLORATION SURVEYS, INC., FOR FURNISHING FIELD PARTIES IN CONNECTION WITH CONCEPCION CREEK DRAINAGE AREA.

( Full text in Ordinance Book R, page 523

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APPRO. NO. 1044

AN ORDINANCE 8747

APPROPRIATING \$26.00 OUT OF STREETS AND BRIDGES C-45 FUND, TO STEWART TITLE GUARANTY COMPANY, IN PAYMENT OF TITLE GUARANTY AND RECORDING FEES ON PROPERTY PURCHASED FROM MOSE B. MILNER FOR THE OPENING OF GRAPPELAND STREET.

( Full text in Ordinance Book R, page 523

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APPRO. NO. 1045

AN ORDINANCE 8748

REPEALING AN ORDINANCE OF JANUARY 13TH, 1949, BEING COUNCIL APPROPRIATION NO. 987 FOR \$452.19 OUT OF THE SANITARY SEWER PLANT & SYSTEM A-47 FUND, MADE PAYABLE TO TRINITY TESTING LABORATORIES, INC.

( Full text in Ordinance Book R, page 523

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APPRO. NO. 1046

AN ORDINANCE 8749

APPROPRIATING \$252.99 OUT OF SANITARY SEWER PLANT & SYSTEM A-47 FUND, TO PAY TRINITY TESTING LABORATORIES, INC., FOR TESTING AND INSPECTING SEWER (CONCRETE) PIPE.

( Full text in Ordinance Book R, page 523

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Mayor Callaghan for  
Commissioner Davis:

AN ORDINANCE 8750

CREATING A SPECIAL TRUST FUND FOR THE RECEIPT AND DISBURSEMENT OF MONEY COLLECTED AND DEPOSITED WITH THE CITY OF SAN ANTONIO BY THE WOMENS AUXILIARY SAN ANTONIO DENTAL SOCIETY FOR THE USE AND BENEFIT OF THE CITY DENTAL CLINIC.

( Full text in Ordinance Book R, page 524

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Com. Knight:

AN ORDINANCE 8751

TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS, ON THE PETITION OF C.W.FENSTERMAKER.

( Full text in Ordinance Book R, page 524

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AN ORDINANCE 8752

TO USE THE CITY SANITARY SEWERS BY A CONNECTION OUTSIDE OF THE CITY LIMITS, ON THE PETITION OF C.W.FENSTERMAKER.

( Full text in Ordinance Book R, page 525

AN ORDINANCE 8753

MAKING A DEED OF EXCHANGE BETWEEN THE CITY OF SAN ANTONIO AND CAMILO SAENZ, SR. AND PATROCINO C. SAENZ.

( Full text in Ordinance Book R, page 525-26

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AN ORDINANCE 8754

MAKING A DEED OF EXCHANGE BETWEEN THE CITY OF SAN ANTONIO AND JULIAN RODRIGUEZ AND JUANITA RODRIGUEZ.

( Full text in Ordinance Book R, page

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AN ORDINANCE 8755

MAKING A DEED OF EXCHANGE BETWEEN THE CITY OF SAN ANTONIO AND ALFRED JEANNIN.

( Full text in Ordinance Book R, page

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R E S O L U T I O N

DIRECTING THAT THE PREMISES OF MRS. LOUIS GORDON BE DISCONNECTED FROM THE SEWERAGE SYSTEM OF THE CITY OF SAN ANTONIO.

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R E S O L U T I O N

DIRECTING THAT THE PREMISES OF MRS. A. E. KING BE DISCONNECTED FROM THE SEWERAGE SYSTEM OF THE CITY OF SAN ANTONIO.

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R E S O L U T I O N

DIRECTING THAT THE PREMISES OF J. C. HANCOCK BE DISCONNECTED FROM THE SEWERAGE SYSTEM OF THE CITY OF SAN ANTONIO.

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R E S O L U T I O N

THAT  
DIRECTING/THE PREMISES OF A. J. CONRAD BE DISCONNECTED FROM THE SEWERAGE SYSTEM OF THE CITY OF SAN ANTONIO.

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R E S O L U T I O N

DIRECTING THAT THE PREMISES OF ALLEN BLACK BE DISCONNECTED FROM THE SEWERAGE SYSTEM OF THE CITY OF SAN ANTONIO.

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R E S O L U T I O N

DIRECTING THAT THE PREMISES OF CHESTER BELDEN BE DISCONNECTED FROM THE SEWERAGE SYTEM OF THE CITY OF SAN ANTONIO.

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JANUARY 20, 1949.

R E S O L U T I O N

DIRECTING THAT THE PREMISES OF W. W. KELLY BE DISCONNECTED FROM THE SEWERAGE SYSTEM OF THE CITY OF SAN ANTONIO.

R E S O L U T I O N

DIRECTING THAT THE PREMISES OF MRS. C. E. STEPHENS BE DISCONNECTED FROM THE SEWERAGE SYSTEM OF THE CITY OF SAN ANTONIO.

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THE FOLLOWING PETITIONS WERE GRANTED:

Petition of Elmo J. Burke, Jr., Vice President of Highland Hills, Inc., requesting approval of a plat of Highland Hills Subdivision, Unit 3.

Petition of William H. Northway requesting permission to remodel and make an addition to his residence at 1217 S. Comal Street, on Lot 9, New City Block 892.

Petition of Barney Huffman requesting permission to construct and open car port on the W. 20ft of Lot 3, New City Block 2015, which adjoins his residence and is in the 2nd Fire Zone.

Petition of Joe R. Flores requesting permission to erect a frame dwelling on Mayfield Blvd., which is in a 2nd Fire Zone and an "LL" Manufacturing District, property described as Lots 3 & 4, New City Block 8761.

Petition of Juan R. Trevino requesting permission to use the four-room residence as a home, which was built of frame instead of concrete as the building permit No. 6679, dated October 5, 1948, called for. This residence was built on the N.  $\frac{1}{2}$  of Lot 8, New City Block 8761, at 154 King Avenue, which is in an "LL" Manufacturing District.

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When the consideration of Ordinance No. 8756 relative to zoning certain properties came up, it was decided to consider each section separately due to the fact that there were objections being made to some propositions.

Sections 1 & 2 were approved by Aye vote of all present, Com. Davis was absent.

Section 3 was stricken from the ordinance and action was postponed thereon until February 5, 1949, at 10:00 A. M. by the same vote as above.

Section 4 was then called up and objections were heard from Paul Casseb, Attorney for various parties and from Emmett B. Cocke.

Arguments for were made by G. J. Lucchese and John Abdo.

Its adoption failed by the following vote: Ayes, none: Nays, Callaghan, Hein, Knight and South; Absent, Davis. This Section was, therefore, stricken from the Ordinance.

Sections 5 to 11 inclusive, was approved by Aye vote of all present; Davis, absent.

The Ordinance as amended was then approved by the following vote: Ayes, Callaghan, Hein, Knight and South; Nays, Davis (absent). The caption to read as follows:

## AN ORDINANCE 8756

AMENDING AN ORDINANCE PASSED AND APPROVED 3 NOVEMBER, 1938, ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND STRUCTURES; PER CENT OF LOT THAT MAY BE OCCUPIED; THE SIZE OF YARDS, COURTS AND OPEN SPACES; DENSITY OF POPULATION; LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE AND OTHER PURPOSES; DIVIDING THE CITY OF SAN ANTONIO INTO DISTRICTS, REGULATING AND RESTRICTING THE ERECTION, CONSTRUCTION, RE-CONSTRUCTION, ALTERATION, REPAIR OR USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICT; PROVIDING THE UNIFORM REGULATIONS FOR CLASSES OR KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE RESTRICTED DISTRICT; ADOPTING ZONING MAP DISCLOSING VARIOUS DISTRICTS, USE, AREAS, RESTRICTIONS, LIMITATIONS AND PROVISIONS APPLICABLE TO DISTRICTS AND AREAS; PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS THEREOF; TO REZONE: PROPOSITION A, PORTION OF SOUTH ZARZAMORA STREET; PROPOSITION D, PORTION OF SAN PEDRO AVENUE AT MULBERRY; AND PROPOSITION B, (POSTPONED FROM DECEMBER 18, 1948), PORTION OF MAIN AVENUE. ANY PERSON WHO VIOLATES THIS ORDINANCE OR THE OWNER OF ANY BUILDING OR PREMISES OR PART THEREOF WHERE ANYTHING IN VIOLATION OF THIS ORDINANCE SHALL BE PLACED OR SHALL EXIST, AND ANY ARCHITECT, BUILDER, CONTRACTOR, AGENT, PERSON OR CORPORATION EMPLOYED IN CONNECTION THEREWITH, WHO MAY HAVE ASSISTED IN THE COMMISSION OF ANY SUCH VIOLATION

SHALL BE GUILTY OF A SEPARATE OFFENSE AND UPON CONVICTION  
MAY BE FINED NOT MORE THEN \$100.00 AND EACH DAY SUCH  
WIOLATION EXISTS SHALL CONSTITUTE A SEPARATE OFFENSE.  
PASSED AND APPROVED ON THE 20TH OF JANUARY, 1949.

( Full text in Ordinance Book R, page

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Alonzo Perales addressed the Commissioners regarding a petition against a nuisance at South Laredo Street. Commissioner Knight agreed to investigate the situation.

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Referred to the City Attorney to draft a resolution advertising for a hearing were the recommendations of the Zoning Commission about Fredericksburg Road; Cupples Road; North New Braunfels Avenue and Sunset Road; Culebra Avenue; San Pedro Avenue and Norwood Court. (5) in all.

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On motion of Commissioner Hein, seconded by Commissioner South, and carried by a roll call vote, to-wit: Ayes, Callaghan, Hein, Knight and South; Nays, Davis (absent), the meeting was adjourned.

APPROVED

*Alfred Callaghan*  
MAYOR

ATTEST:

*Frank Ballouge*  
City Clerk