SG/cla
03/05/2015
Z-14. Amended.

CASE NO. Z2015005 CD

AN ORDINANCE 2015-03-05-0175

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 0.53 acres out of Lot 1, Block H, NCB 6021 from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Caterers and Catering Shop (No On-Premises Food Services).

SECTION 2. In accordance with Section 35-514(d)(2)D of the Unified Development Code, the City Council authorizes a fence to be erected or altered up to a height of eight (8) feet along the front, side and rear yards.

SECTION 3. A description of the property is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 4. 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 5. The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

A. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.

B. No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood.

C. Business hours of operation for the general public shall not be permitted before 7:00 a.m. or after 6:00 p.m.

SECTION 6. The City Council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Attachment "B"** and made a part hereof and incorporated herein for all purposes.

SECTION 7. 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 8. 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 9. This ordinance shall become effective March 15, 2015.

PASSED AND APPROVED this 5th day of March 2015.

Ivy R. Taylor

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

Z2015005

Barrera Land Surveying
7715 Mainland Drive, Suite 114
San Antonio, Texas 78250
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(210) 444-9479 (fax)
dbinsatx@yahoo.com

STATE OF TEXAS

COUNTY OF BEXAR

LEGAL DESCRIPTION
For
0.53 Acre Tract
(400 Elvira Street)

Being a 0.53 acre tract of land being out of and part of Lot 1, Block H, N.C.B. 6021 out of the Segovia Subdivision Recorded in Volume 9524, Page 88, Deed and Plat Records of Bexar County, Texas. Said 0.53 acre tract of land, being more particularly described as follows:

BEGINNING: At a found 1/2" steel rod being the northeast corner of said tract also being the southwest corner of the intersection of Elvira Street and Nueces Street, for a corner of this herein described tract;

THENCE: S 07°03'53" W, a distance of 67.40 feet to a found ½" steel rod, for a corner of this herein described tract;

THENCE: N 82°47'35" W, a distance of 34.10 feet to a found ½" steel rod, for a corner of this herein described tract;

THENCE: N 07°03'53" E, a distance of 67.40 feet to a found ½" steel rod, for a corner of this herein described tract;

THENCE: S 82°47'35" E, a distance of 34.10 feet to the **POINT OF BEGINNING.**

Containing 0.53 acres of land (2,306 SQ.FT.) more or less. Survey prepared this date.

Date: 11-25-2014

David Barrera, R.P.L.S. No. 5286

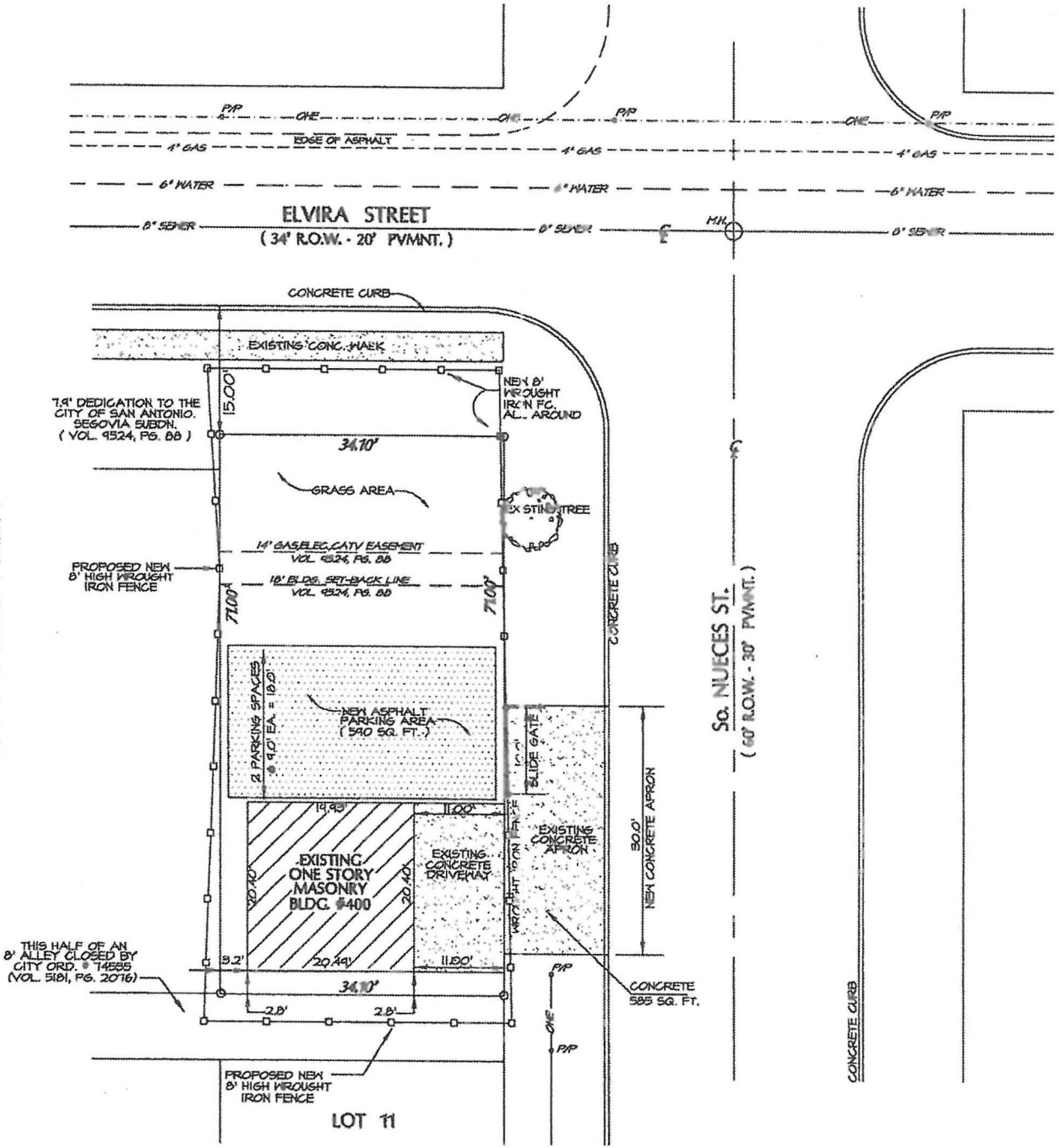
STATE OF TEXAS
REGISTERED
DAVID BARRERA
5286
PROFESSIONAL
LAND SURVEYOR

11-25-14

ATTACHMENT A

Z2015005CS

ATTACHMENT B



NOTE

I, ROSARIO CARRILLO, 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 CITY ADOPTED CODES AT THE TIME OF PLAN SUBMITTAL FOR BUILDING PERMITS.

NORTH
SCALE: 1" = 10'

10' 5' 0' 10' 20'

LEGAL DESCRIPTION:

LOT 1, BLOCK H, N.C.B. 6021

TOTAL ACREAGE: 0.53± ONE LOT

ONE EXISTING MASONRY BUILDING DIMENSIONS: 20' x 20' = 400 SQ. FT.

10/14/14	Rev. Site Plan
12/11/14	Rev. Site Plan
	as per survey

Design & Development Services
Jose M. Cuevas
Phone: (210) 523-4014
Email: jmcuevas@msn.com
130 Jade Drive
San Antonio, Texas 78209

PROPOSED SITE PLAN
ROSARIO CARRILLO PROPERTY - 400 ELVIRA
SAN ANTONIO, TEXAS

DATE: 08-14-14
REV.: 10-14-14
12-11-14

SHEET NO.
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