

AN ORDINANCE 2008-01-17-0056

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 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 0.111 acres out of NCB 719 from "C-2" H Commercial Historic District to "R-4" H IDZ Residential Single Family Historic District Infill Development Zone.

**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.** 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 4.** 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 5.** This ordinance shall become effective on January 27, 2008.

**PASSED AND APPROVED** this 17<sup>th</sup> day of January 2008.

  
M A Y O R

PHIL HARDBERGER

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
For City Attorney

<b>Agenda Item:</b>	Z-23 ( in consent vote: Z-1, Z-2, Z-5, Z-6, Z-9, Z-10, Z-12, Z-15, Z-17, P-3, Z-22, Z-23, Z-24, Z-25, Z-27, Z-28 )						
<b>Date:</b>	01/17/2008						
<b>Time:</b>	03:50:21 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2008015 (District 1): An Ordinance changing the zoning district boundary from "C-2" H Commercial Historic District to "R-4" H IDZ Residential Single Family Historic District Infill Development Zone on 0.111 acres out of NCB 719, 716 South Presa Street, as requested by Mears Homes, Inc., Applicant for Monroe and Virginia Bethke, Owners. Staff and Zoning Commission recommend Approval.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Sheila D. McNeil	District 2		x				
District 3	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
District 9	District 9		x			x	
John G. Clamp	District 10		x				

72008015

***Northstar Land Surveying, Inc.***

***9033 Aero St., Suite 207  
San Antonio, Texas 78217  
(210) 826-6228***

**FIELD NOTES FOR**

A 0.111 ACRE TRACT OF LAND OUT OF LOT 11, BLOCK 1, NEW CITY BLOCK 719, RICHTER SUBDIVISION, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AS RECORDED IN VOLUME 9539, PAGE 084, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, BEING THE SAME TRACT RECORDED IN VOLUME 13141, PAGE 1254, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING:** At a found one inch iron rod at the intersection of the southeast right-of-way line of San Arturo Street and the southwest right-of-way line of Callaghan Street;

**THENCE:** South 61 degrees 21 minutes 25 seconds East (Bearings are based on Texas State Plane Coordinate System Grid), 4.82 feet coincident with the southwest right-of-way line of Callaghan Street to a set 1/2 inch iron rod, the end of the curved return joining the southeast right-of-way line of San Arturo Street and the southwest right-of-way line of Callaghan Street, the most easterly northeast corner and the **POINT OF BEGINNING** of the herein described tract;

**THENCE:** South 61 degrees 21 minutes 25 seconds East, 90.60 feet coincident with the southwest right-of-way line of Callaghan Street to a found 1/2 inch iron rod, the most northerly northeast corner of the above referenced Lot 11, the north corner of Lot "B" Block 1, New City Block 719 as recorded in Volume 642, Page 3, Deed and Plat Records of Bexar County, Texas, and Volume 4855, Page 249, Deed Records of Bexar County, Texas, the east corner of the herein described tract;

**THENCE:** South 27 degrees 44 minutes 23 seconds West, 50.00 feet coincident with the northwest line of the aforementioned Lot "B" to a found 1/2 inch iron rod, a point on the northwest line of said Lot "B", the south corner of the herein described tract;

**THENCE:** North 61 degrees 20 minutes 29 seconds West, 98.03 feet crossing Lot 11, to a found 1/2 inch iron rod on the southeast right-of-way line of San Arturo Street, the west corner of the herein described tract;

Continued...

**EXHIBIT A**

22008015

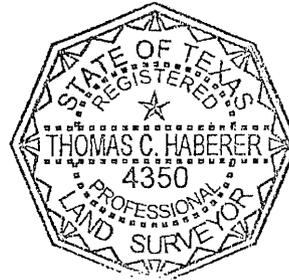
**THENCE:** North 30 degrees 43 minutes 28 seconds East, 45.18 feet coincident with the southeast right-of-way line of San Arturo Street to a set ½ inch iron rod, the beginning of the curved return joining the southeast right-of-way line of San Arturo Street with the southwest right-of-way line of Callaghan Street, westerly north corner of the herein described tract:

**THENCE:** 7.67 feet with said curved return, a curve to the right, which has a central angle of 87 degrees 55 minutes 07 seconds, a radius of 5.00 feet, and a tangent length of 4.82 feet to the **POINT OF BEGINNING**, containing 0.111 acres.

These Field Notes are based on a survey made on the ground and a survey map prepared by employees of Northstar Land Surveying, Inc. who were working under my supervision.



Thomas C. Haberer  
Registered Professional Land Surveyor #4350  
October 24, 2007  
Job Number 10-07-0084



Affidavit of Publisher

AN ORDINANCE  
2008-01-17-0056

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.111 acres out of NCB 719 TO WIT: From "C-2" H Commercial Historic District to "R-4" H IDZ Residential Single Family Historic District Infill Development Zone. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".  
1/23

STATE OF TEXAS  
COUNTY OF BEXAR  
S.A. - CITY CLERK

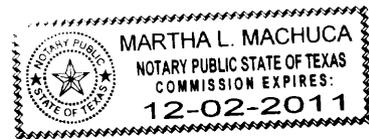
Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the Ordinance 2008-01-17-0056 here to attached has been published in every issue of said newspaper on the following days, to wit:

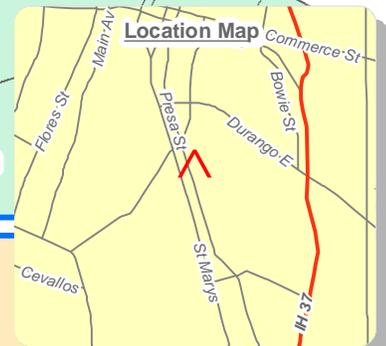
01/23/2008.

*Helen I. Lutz*

Sworn to and subscribed before me this 23rd day of of January, 2008.

*Martha L. Machuca*





## Zoning Case Notification Plan

# Case Z-2008-015

Council District 1

Scale: 1" approx. = 100'

Subject Property Legal Description(s): Portion of Lot 11 Exc NE 53.76 ft - NCB 00719 - Block 001

### Legend

- Subject Property  (0.111 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change R6
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept  
(11/01/2007)