

AN ORDINANCE 2008-05-01-0359

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 Lot 2 and a 0.109 acre tract of land out of Lot 1, Block 1, NCB 18308 from "R-6" Residential Single-Family District to "C-2" Commercial District.

SECTION 2. A description of the 0.109 acre tract of land out of Lot 1, Block 1, NCB 18308 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.

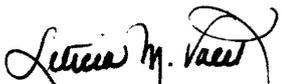
SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This ordinance shall become effective May 11, 2008.

PASSED AND APPROVED this 1st day of May 2008.



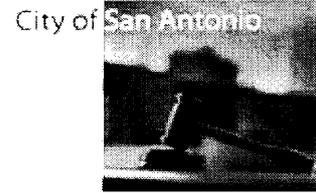
M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney
for

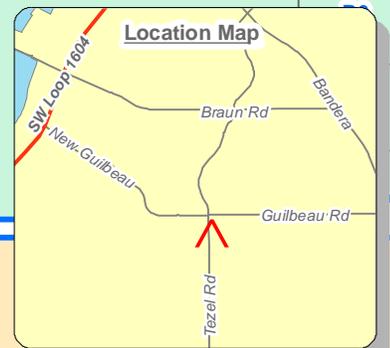
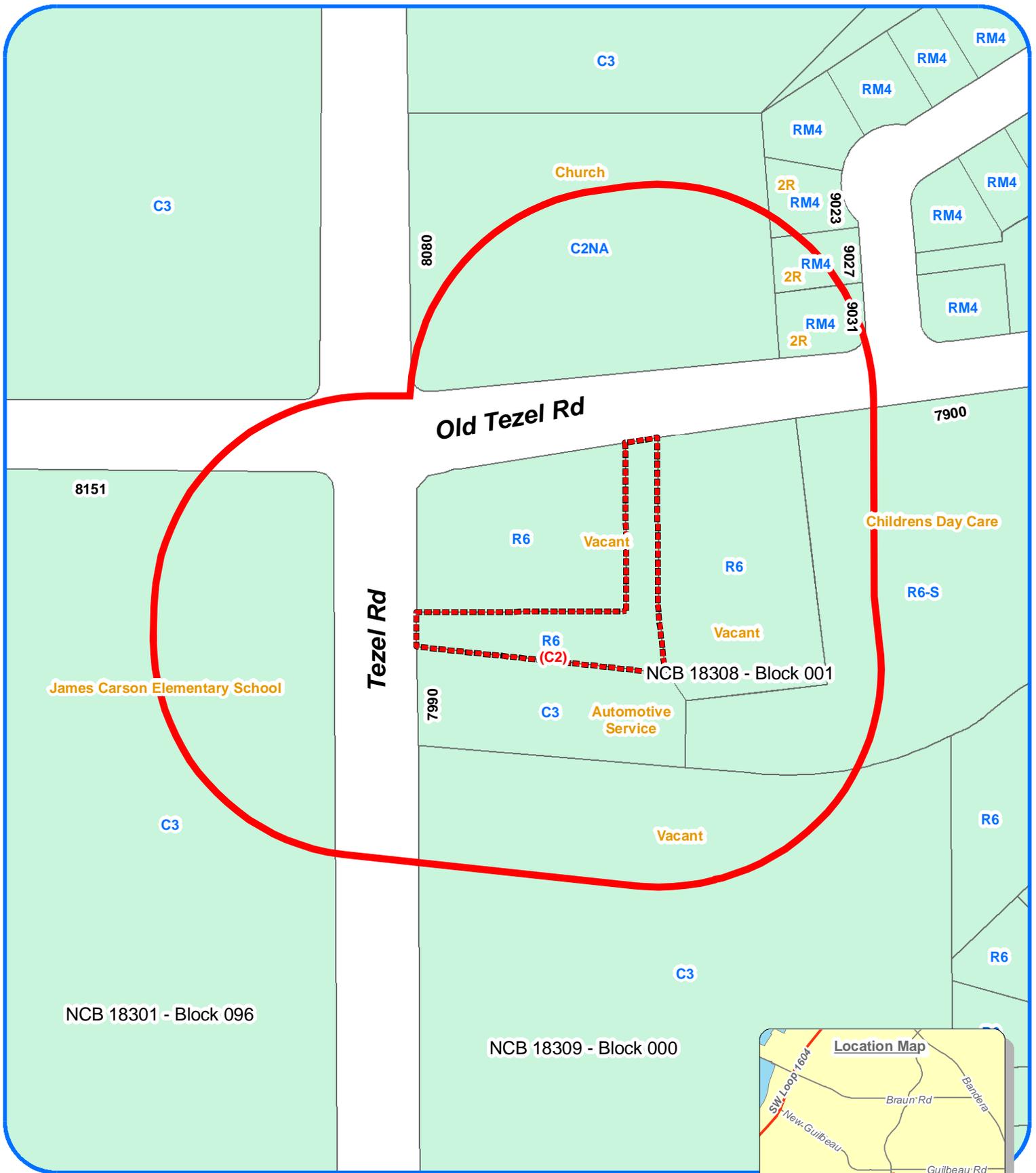


Request for
COUNCIL



Agenda Voting Results - Z-2

Name:	Z-1, Z-2, Z-5, Z-6, Z-7, Z-8						
Date:	05/01/2008						
Time:	02:14:39 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2008039 (District 7): An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-2" Commercial District on Lot 2 and a 0.109 acre tract of land out of Lot 1, Block 1, NCB 18308, 7900 Block of Tezel Road as requested by Phil Garay, Applicant for Adalberto Hernandez, Owner. Staff and Zoning Commission recommend approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				x
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x			x	
Louis E. Rowe	District 9	x					
John G. Clamp	District 10		x				



Zoning Case Notification Plan

Case Z-2008-039

Council District 7

Scale: 1" approx. = 120'

Subject Property Legal Description(s): A Portion of Lot 1 Exc NW Irr 15.40 Tri and NE Irr 31.98 of Lot 2 - NCB 18308 - Block 001

Legend

- Subject Property (0.34 Acres)
- 200' Notification Buffer
- Current Zoning R6
- Requested Zoning Change (R6)
- 100-Year FEMA Floodplain



City of San Antonio - Development Services Dept
(01/08/2007)

Z2008039

**FIELD NOTES
INGRESS / EGRESS EASEMENT**

Being a 0.109 acre tract of land more or less, out of Lot 1, Block 1, NCB 18308, of the Rustic Timber Subdivision, City of San Antonio, a subdivision of record in Volume 9515, Page 152, Deed and Plat Records, Bexar County, Texas, said 0.109 acre tract of land being more particularly described by metes and bounds as follows;

BEGINNING at a 1/2" iron rod set for the southeast corner of the said Lot 1 and the herein described tract, being also in the west line of Lot 3, Block 1 of said Rustic Timber Subdivision and for the northeast corner of a called 0.220-acre tract (aka Lot 2, Block 1) of said Rustic Timber Subdivision;

THENCE with the common line of said Lot 2, Block 1 and the herein described tract, N 86°20'11" W, a distance of 30.22 feet to a point for the southwest corner of the herein described tract;

THENCE leaving said Lot 2 and crossing said Lot 1, Block 1, N 03°10'35" W, a distance of 155.39 feet to a point for the northwest corner of the herein described tract, being also in the north line of the said Lot 1, and being in the south line of Old Tezel Road;

THENCE along the south right-of-way line of Old Tezel Road, and the north line of the said Lot 1 and the herein described tract, N 83°57'41" E, (Bearing Basis), a distance of 30.04 feet to a 1/2" iron rod set for the northeast corner of the said Lot 1 and the herein described tract, being also the northwest corner of said Lot 3;

THENCE with the common line of said Lot 3, Block 1 and the herein described tract, S 03°10'35" E, a distance of 160.49 feet to the **PLACE OF BEGINNING** and containing 0.109 acres of land more or less.

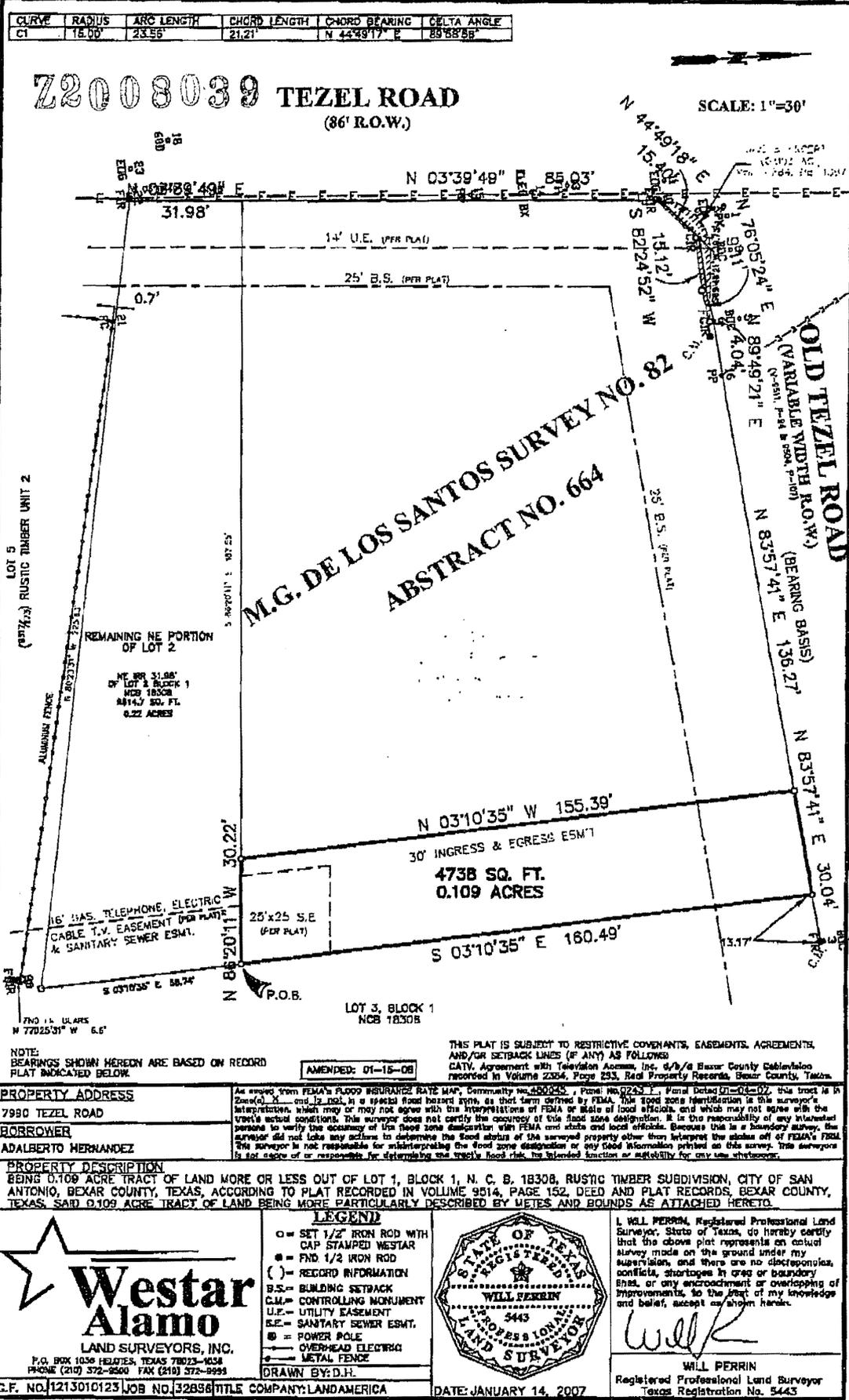
Note: I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. All iron rods set are 1/2 inch rebar with Westar survey caps attached.

W:\San Antonio CADD\Word\Metes and Bounds\32856\G.doc



WILL PERRIN
Registered Professional Land Surveyor
Texas Registration No. 6552
January 14, 2008





CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	16.00'	23.56'	21.21'	N 44°49'17" E	89°58'35"

72008039 TEZEL ROAD

(86' R.O.W.)

SCALE: 1"=30'

M.G. DE LOS SANTOS SURVEY NO. 82
ABSTRACT NO. 664

OLD TEZEL ROAD
 (BEARING BASE)
 (VARIABLE WIDTH R.O.W.)

REMAINING NE PORTION OF LOT 2
 N 03°39'49" E 31.98'
 N 03°10'35" W 155.39'
 S 03°10'35" E 160.49'

4738 SQ. FT.
 0.109 ACRES

NOTE: BEARINGS SHOWN HEREON ARE BASED ON RECORD PLAT INDICATED BELOW.

AMENDED: 01-15-08

THIS PLAT IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS, AND/OR SETBACK LINES (IF ANY) AS FOLLOWS:
 CATV. Agreement with Television Access, Inc. 6/9/84 Bexar County Cable/Video recorded in Volume 2304, Page 253, Real Property Records, Bexar County, Texas.

PROPERTY ADDRESS
 7990 TEZEL ROAD
 ROBOROWER
 ADALBERTO HERNANDEZ

As shown from FEMA's FLOOD INSURANCE RATE MAP, Community No. 450025, Panel No. 0225 E, Panel Detail 02-02, this tract is in Zone (a) X and is not in a special flood hazard zone, as that term defined by FEMA. This flood zone identification is the surveyor's interpretation, which may or may not agree with the interpretation of FEMA or State or local officials, and which may not agree with the tract's actual conditions. This surveyor does not carry the occupancy of the flood zone designation. It is the responsibility of any interested persons to verify the accuracy of the flood zone designation with FEMA and state and local officials. Because this is a boundary survey, the surveyor did not take any action to determine the flood status of the surveyed property other than interpret the status of FEMA's FIRM. The surveyor is not responsible for misinterpreting the flood zone designation or any flood information printed on this survey. This surveyor is not liable or responsible for determining the tract's flood risk, intended function or suitability for any use whatsoever.

PROPERTY DESCRIPTION
 BEING 0.109 ACRE TRACT OF LAND MORE OR LESS OUT OF LOT 1, BLOCK 1, N. C. B. 18308, RUSTIC TIMBER SUBDIVISION, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN VOLUME 9514, PAGE 152, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS, SAID 0.109 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS ATTACHED HERETO.

Westar Alamo
 LAND SURVEYORS, INC.
 P.O. BOX 1038 HELotes, TEXAS 78023-1038
 PHONE (210) 372-9200 FAX (210) 372-9255

- LEGEND**
- = SET 1/2" IRON ROD WITH CAP STAMPED WESTAR
 - = FND 1/2 IRON ROD
 - () = RECORD INFORMATION
 - B.S. = BUILDING SETBACK
 - C.M. = CONTROLLING MONUMENT
 - U.E. = UTILITY EASEMENT
 - S.E. = SANITARY SEWER ESMT.
 - ⊕ = POWER POLE
 - = OVERHEAD ELECTRIC
 - = METAL FENCE
- DRAWN BY: D.H.



I, WILL PERRIN, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief, except as shown herein.

Will Perrin

WILL PERRIN
 Registered Professional Land Surveyor
 Texas Registration No. 5443

Affidavit of Publisher

AMENDING CHAPTER 30 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: Lot 2 and a 0.109 acre tract of land out of Lot 1, Block 1, NCB 18308 TO WIT: From "R-6" Residential Single-Family District to "C-2" Commercial District. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".
5/5

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 2008-05-01-0359 here to attached has been published in every issue of said newspaper on the following days, to wit:

05/05/2008.

Helen I. Lutz

Sworn to and subscribed before me this 5th day of of May, 2008.

Martha L. Machuca

