

ORDINANCE 2022-12-15-1002

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.

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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 the East 10 feet of Lot 3 and Lot 4, Block 1, NCB 3966, located at 331 West Elsmere Place, from "R-5 H AHOD" Residential Single-Family Historic Monte Vista Airport Hazard Overlay District to "R-5 CD H AHOD" Residential Single-Family Historic Monte Vista Airport Hazard Overlay District with a Conditional Use for three (3) dwelling units.

SECTION 2. 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 3. The City council approves this Conditional Use so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 4. 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 5. 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 6. This ordinance shall become effective December 25, 2022.

PASSED AND APPROVED this 15th day of December, 2022.



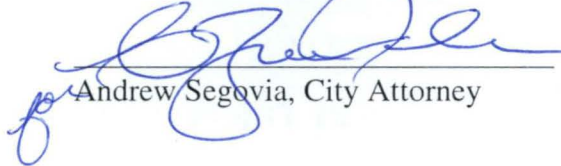
M A Y O R
Ron Nirenberg

ATTEST:



Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting December 15, 2022

6.

2022-12-15-1002

ZONING CASE Z-2022-10700292 CD (Council District 1): Ordinance amending the Zoning District Boundary from "R-5 H AHOD" Residential Single-Family Historic Monte Vista Airport Hazard Overlay District to "R-5 CD H AHOD" Residential Single-Family Historic Monte Vista Airport Hazard Overlay District with a Conditional Use for three (3) dwelling units on the east 10 feet of Lot 3 and Lot 4, Block 1, NCB 3966, located at 331 West Elsmere Place. Staff and Zoning Commission recommend Approval.

Councilmember Bravo moved to Approve on Zoning Consent. Councilmember Courage seconded the motion. The motion carried by the following vote:

Aye:	Nirenberg, Bravo, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Pelaez, Courage, Gallagher
Absent:	McKee-Rodriguez, Sandoval

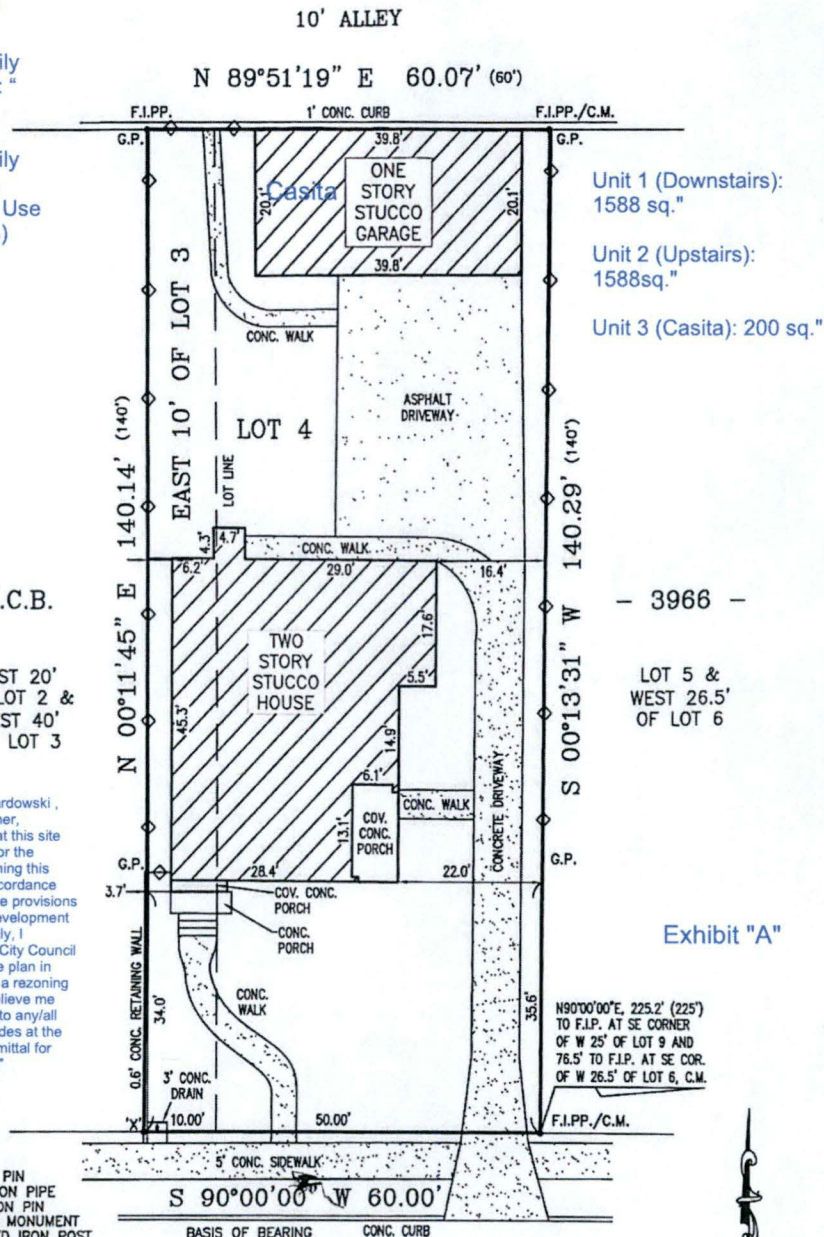
Exhibit “A”

Z-2022-10700292 CD

From: "R-5"
Residential
Single-Family
District | To: "
R-5 CD"
Residential
Single-Family
District with
Conditional Use
for Three (3)
Units

.1928 acres

I, Alexander Zgardowski, 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."



LEGEND

F.I.P. : FOUND IRON PIN
F.I.P.P. : FOUND 1" IRON PIPE
S.I.P. : SET 1/2" IRON PIN
C.M. : CONTROLLING MONUMENT
G.P. : 3" GALVANIZED IRON POST
X : 'X' MARK ON CONCRETE
A/C : 4"x4" CONCRETE A/C PAD
W.M. : WATER METER
() : PLAT RECORDS
◇ : CHAIN LINK FENCE

STREET ADDRESS: 331 WEST ELSMERE PLACE
LOTS: LOT 4 AND THE EAST 10 FEET OF LOT 3
BLOCK: — N.C.B.: 3966
SUBDIVISION: SUMMIT TERRACE
PLAT RECORDS, VOLUME: 105 PAGE(S): 345
CITY: SAN ANTONIO, BEJAR COUNTY, TEXAS
SURVEYED FOR: ALAMO TITLE COMPANY
G.F. NO.: SAT-03-4000032200364-SA
BUYER(S): ALEXANDER ZGARDOWSKI

NOTE:

BEARINGS ARE BASED ON THE RECORDED PLAT ANALYSIS.



STATE OF TEXAS
COUNTY OF BEJAR

I HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE, CORRECT AND AN ACCURATE REPRESENTATION OF THE PROPERTY ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND EXCEPT AS SHOWN ABOVE THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, PROTRUSIONS OR INTRUSIONS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS, OR RIGHT-OF-WAY.

THIS 25-TH DAY OF AUGUST, 2022, A.D.



TEXAS ENGINEERING & SURVEYING, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
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114 W. GLENVIEW DRIVE, SUITE 100 TEL (210) 524-3288
SAN ANTONIO, TEXAS 78228 FAX (210) 979-9866

THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS RECORDED IN:
VOL. 16817 PG. 1967 VOL. PG. VOL. PG.

S. B. Shrestha