

**CITY OF SHAVANO PARK
PLANNING & ZONING COMMISSION MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
July 8, 2020**

6:30 P.M.

**SUPPLEMENTAL NOTICE OF MEETING BY LIVESTREAM / TELEPHONE
CONFERENCE:**

**THIS MEETING WILL BE A LIMITED TO APPROXIMATELY 10 IN-PERSON
ATTENDEES IN ORDER TO MAINTAIN SOCIAL DISTANCING.**

In accordance with Order of the Office of the Governor issued March 16th, 2020, the governor has suspended various provisions of the Open Meetings Act pursuant to his state disaster authority, which now authorize the participation of a meeting by live-video stream or telephone. The City of Shavano Park Planning & Zoning Commission will conduct the Regular Meeting on Monday, June 3, 2020 at 6:30 p.m. at 900 Saddletree Court, Shavano Park Council Chambers in part by Livestream / telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) and slow down the spread of the Coronavirus (COVID-19).

Livestream Participation. The livestream available via the GoToMeeting website from your computer, tablet or smartphone at: <https://youtu.be/QE49y5g8-AY>

Telephone Participation. The public toll-free dial-in number to participate in the telephonic meeting is 1-877-568-4106 and requires access code 343-068-213. Participants should mute their phone when not speaking. If you have issues accessing Telephone Participation or Livestream, please call City Secretary Zina Tedford at 210-787-0366.

The Livestream / telephone conference will be available to join at 6:00 p.m. (30 minutes prior to the meeting). If you have issues accessing Telephone Participation or Livestream, please call City Secretary Zina Tedford at 210-787-0366.

The public will be permitted to offer comments telephonically as provided by the agenda during Citizen’s to be Heard. Citizens who want to speak during this period, should sign up to speak prior to the beginning of the meeting by stating their intent and providing Name, Address, and Topic to be addressed. Follow the guidelines under agenda item 3. If unable to participate in the meeting, you may submit public comments by email to ztedford@shavanopark.org.

The meeting agenda and agenda packet are posted online at www.shavanopark.org.

A recording of the meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

AGENDA

1. Call to order
2. Vote under Section 36-69 of the Shavano Park City Code (“Code”) concerning a finding that each of the items following item 2 on the agenda are “planning issues” or otherwise prescribed Planning & Zoning Commission duties under 36-69(l) of the Code or the severance of one or more of such items for an individual vote on such item or items.
3. The Planning and Zoning Commission welcomes “Citizens to be Heard.” If you wish to speak, you must follow these guidelines. **As a courtesy to your fellow citizens and out of respect to our fellow citizens, we request that if you wish to speak that you follow these guidelines.**
 - Pursuant to Resolution No. R-2019-011 citizens are given three minutes (3:00) to speak during “Citizens to be Heard.”
 - Members of the public may only speak once and cannot pass the individual’s time allotment to someone else
 - Direct your comments to the entire Commission, not to an individual member
 - Show the Commission members the same respect and courtesy that you expect to be shown to you

The Chairman will rule any disruptive behavior, including shouting or derogatory statements or comments, out of order. Continuation of this type of behavior could result in a request by the Mayor that the individual leave the meeting, and if refused, an order of removal. In compliance with the Texas Open Meetings Act, no member of the Commission may deliberate on citizen comments for items not on the agenda. (Attorney General Opinion – JC 0169)

4. Consent Agenda:
 - A. Approval - Planning & Zoning Commission minutes, June 3, 2020
5. Public Hearing - The purpose of the public hearing is to receive comments from members of the public regarding proposed amendments to the City of Shavano Park Code of Ordinances to allow front solid fencing for homes who front yards face NW Military Highway and De Zavala Road and to clarify existing fence regulations generally.
6. Discussion / action – Possible amendments to the City of Shavano Park Code of Ordinances to allow front solid fencing for homes who front yards face NW Military Highway and De Zavala Road and to clarify existing fence regulations generally - City Manager
7. Notice of administrative approval - Amending Plat of Pond Hill Garden Villas to correct a scrivener or clerical error on the zero lot line of Lot 2245.
8. Report / update - City Council items considered at previous City Council meetings and discussion concerning the same - City Manager
9. **Chairman Announcements:**
 - A. Advise members to contact City staff to add new or old agenda items.
 - B. Advise members of pending agenda items, as follows:

- i. Public Hearing - The purpose of the public hearing is to receive comments from members of the public regarding proposed amendments to the City of Shavano Park Code of Ordinances, Chapter 36 regarding MXD & PUD site plan approval to comply with House Bill 3167 from the 86th Texas Legislature
- ii. Discussion / action - Amendments to Chapter 36 regarding MXD & PUD site plan approval to comply with the 30-day shot clocks from Texas Legislature - City Manager

10. Adjournment

Accessibility Statement:

The City of Shavano Park City Hall is wheelchair accessible. The entry ramp is located in the front of the building. Accessible parking spaces are also available in the front and sides of the building. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-447-5400 or TDD 1-800-735-2989.

Decorum Required:

Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

Action by Commission Authorized:

The Planning and Zoning Commission may vote and/or act upon any item within this Agenda. The Commission reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

Executive Sessions Authorized:

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials:

It is anticipated that members of City Council or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas

Open Meetings Act.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the above named Shavano Park Planning and Zoning Commission is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin boards, of the City Hall of said City Shavano Park, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on this the 2nd day of July 2020 at 1:15 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Zina Tedford
City Secretary

1. **Call to order**

Chairman Aleman called the meeting to order at 6:30 p.m.

PRESENT:

Albert Aleman

Carla Laws

Kerry Dike

Michael Janssen

Jason Linahan

Bill Simmons

Shawn Fitzpatrick

William Stipek

ABSENT:

Damon Perrin

2. **Vote under Section 36-69 of the Shavano Park City Code (“Code”) concerning a finding that each of the items following item 2 on the agenda are “planning issues” or otherwise prescribed Planning & Zoning Commission duties under 36-69(l) of the Code or the severance of one or more of such items for an individual vote on such item or items.**

Upon a motion made by Commissioner Laws and a second made by Commissioner Fitzpatrick, the Planning & Zoning Commission voted six (6) for and none (0) opposed to approve the agenda as it was provided as Planning & Zoning Commission issues. The motion carried.

3. **Citizens to be Heard**

No one signed up to address the Planning & Zoning Commission.

4. **Consent Agenda**

A. Approval - Planning & Zoning Commission minutes, March 3, 2020

Upon a motion made by Commissioner Janssen and a second made by Commissioner Simmons, the Planning & Zoning Commission voted six (6) for and none (0) opposed to approve the Planning & Zoning Commission March 3, 2020 minutes. The motion carried.

5. **Public Hearing - The purpose of the public hearing is to receive comments from members of the public regarding proposed amendments to correct a scrivener error in side setback requirements of Willow Wood Planned Unit Development in Ordinance 100-12-03**

Public hearing opened 6:34 p.m.

City Manager Hill presented an overview of the proposed amendment to correct a scrivener error in side setback requirements of Willow Wood Planned Unit Development in Ordinance 100-12-03.

Public hearing closed at 6:39 p.m.

6. **Discussion / action - Correction of scrivener error in Ordinance 100-12-03 regarding side setback requirements in Willow Wood Planned Unit Development - City Manager**

Upon a motion made by Commissioner Stipek and a second made by Commissioner Dike, the Planning Zoning Commission voted seven (7) for and none (0) opposed to approve the correction of the scrivener error in Ordinance 100-12-03. The motion carried.

7. **Public Hearing - The purpose of the public hearing is to receive comments from members of the public regarding proposed amendments to the City of Shavano Park Code of Ordinances, Chapter 36 – Zoning, regarding allowed uses of accessory buildings in residential zoning districts**

Public hearing opened at 6:44 p.m.

City Manager Hill presented an overview of the proposed amendments to the City of Shavano Park Code of Ordinances, Chapter 36 – Zoning, regarding allowed uses of accessory buildings in residential zoning districts

Public hearing closed at 6:54 p.m.

8. **Discussion / action - Possible amendments to the City of Shavano Park Code of Ordinances, Chapter 36 - Zoning, regarding allowed uses of accessory buildings - City Manager**

Upon a motion made by Commissioner Janssen and a second made by Commissioner Fitzpatrick, the Planning Zoning Commission voted seven (7) for and none (0) opposed to approve the proposed amendments to the City of Shavano Park Code of Ordinances, Chapter 36-Zoning, regarding allowed uses of accessory building. The motion carried.

9. **Discussion - Possible amendments to Chapters 6 and 36 regarding front fencing for homes fronting NW Military Highway - City Manager**

City Manager Hill presented an overview of the proposed amendments to Chapters 6 and 36 regarding front fencing for homes fronting NW Military Highway.

10. **Report / update - City Council items considered at previous City Council meetings and discussion concerning the same - City Manager**

City Manager Hill provided an overview of items considered at the previous City Council Meeting.

11. **Chairman Announcements:**

- A. Advise members to contact City staff to add new or old agenda items.
- B. Advise members of pending agenda items, as follows:
 - i. Public Hearing - The purpose of the public hearing is to receive comments from members of the public regarding proposed amendments to the City of Shavano Park Code of Ordinances, Chapter 36 regarding MXD & PUD site plan approval to comply with House Bill 3167 from the 86th Texas Legislature
 - ii. Discussion / action - Amendments to Chapter 36 regarding MXD & PUD site plan approval to comply with the 30-day shot clocks from Texas Legislature - City Manager

12. **Adjournment**

Upon a motion made by Commissioner Fitzpatrick and a second made by Commissioner Dike, the Planning & Zoning Commission voted seven (7) for and none (0) opposed to adjourn the meeting at 8:35 p.m.

Albert Aleman
Chairman

Zina Tedford, City Secretary

PLANNING AND ZONING STAFF SUMMARY

Meeting Date: July 8, 2020

Agenda item: 5 & 6

Prepared by: Curtis Leeth

Reviewed by: Bill Hill

AGENDA ITEM DESCRIPTION:

5. Public Hearing - The purpose of the public hearing is to receive comments from members of the public regarding proposed amendments to the City of Shavano Park Code of Ordinances to allow front solid fencing for homes who front yards face NW Military Highway and De Zavala Road and to clarify existing fence regulations generally.

6. Discussion / action – Possible amendments to the City of Shavano Park Code of Ordinances to allow front solid fencing for homes who front yards face NW Military Highway and De Zavala Road and to clarify existing fence regulations generally - City Manager

X

Attachments for Reference:

- 1) 5a Existing Fences along NW Military/De Zavala
- 2) 5b Fence Code Amendments (Permissive)
- 3) 5c Fence Code Amendments (Aesthetics)

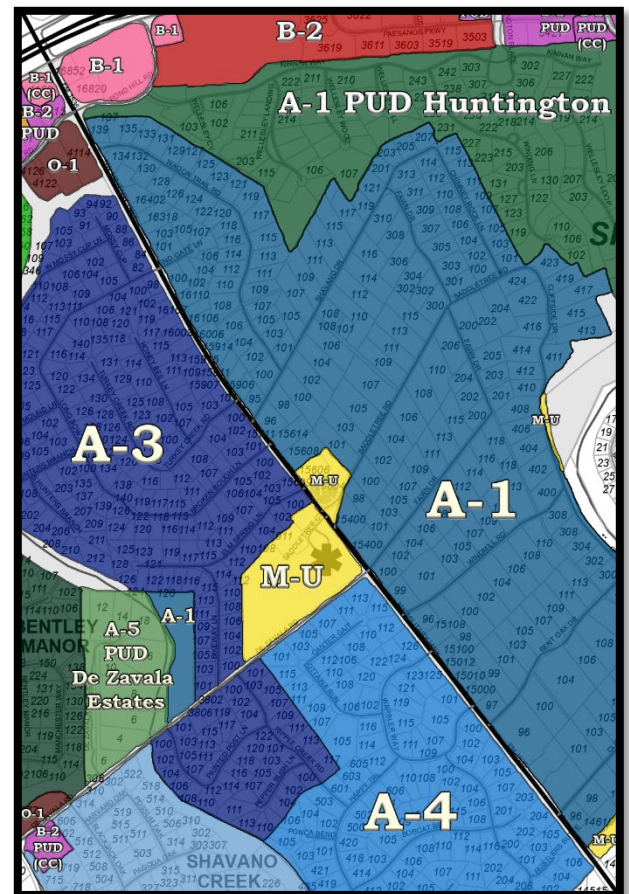
BACKGROUND / HISTORY: Recently the City took a code enforcement action against a resident on NW Military in A-1 district attempting to install solid wood fencing behind their wrought-iron fence for increased privacy and security. After the resident complied, the homeowners of 16006 and 16008 NW Military Highway (east side) requested to the City the ability to install front solid fencing (past the front of the residence) on their properties for privacy, noise abatement and security.

Their primary concerns are the increasing noise and activity on NW Military. Staff anticipate these concerns will only increase once construction on the road begins in 2021.

DISCUSSION: The basic regulations in regards to front fencing are as follows:

- Front fencing past the front of the house is only allowed in A-1 and A-1 PUD (Huntington)
- Solid front fencing past the front of the house is only allowed in A-1 PUD (Huntington)

Note that A-1, A-3 and A-4 residential districts are all adjacent to the NW Military. All homes in A-4 have their rear and side yards facing NW Military, while many homes in A-3 and A-1 have front yards facing NW Military. This means the residents in A-4 enjoy a solid brick wall facing the busy highway for privacy, security and sound abatement but not other residents on NW Military.



Staff proposed scheduling for July P&Z a public hearing for draft amendments that would allow front solid fencing (past the front of the house) for all homes whose lots front NW Military and clean up inconsistencies in the fence code to improve readability.

At the June 3, 2020 Planning & Zoning Commission Meeting the Commission gave guidance to staff but took no action.

Following this guidance staff prepared two versions of the Code Amendments (labeled for easy reference as *Permissive* and *Aesthetics*). Both versions provide for front solid fencing for homes along NW Military and De Zavala Road. Both versions completed attorney review on July 2, 2020.

The “*permissive*” version (attachment 5b) does not place any additional conditions above and beyond general fence regulations when allowing front fences along NW Military / De Zavala except to prohibit chainlink and hogwire fences for front fencing on A-1 district NW Military lots.

The “*aesthetics*” version (attachment 5c) places additional conditions on front solid fencing in its construction, placement and maintenance in order to maintain compatibility with the distinctive architectural and aesthetic characteristics of the primary roadways of the City, NW Military and De Zavala Road (e.g. existing rock walls, wrought iron and wood along both streets).

When drafting these regulations Staff looked at existing fences and walls visible from the right-of-way. Photos of these existing fences (front, side and rear) are attachment 5a and may help the Commission in formulating aesthetics standards.

COURSES OF ACTION: Recommend approval of possible amendments to the City of Shavano Park Code of Ordinances to allow front solid fencing for homes who front yards face NW Military Highway and De Zavala Road and to clarify existing fence regulations generally; recommend additional amendments or decline and provide guidance to staff.

FINANCIAL IMPACT: N/A

MOTION REQUESTED: Recommend approval of possible amendments to the City of Shavano Park Code of Ordinances to allow front solid fencing for homes who front yards face NW Military Highway and De Zavala Road and to clarify existing fence regulations generally (specify a version and/or additional amendments).

NW Military Highway Existing Fences / Walls



Front yard fencing on
NW Military (east
side or A-1 zoned).

Wrought iron
construction.





Front yard fencing on
NW Military (east
side or A-1 zoned).

Wrought iron
construction.





Front yard fencing on
NW Military (east
side or A-1 zoned).

Wrought iron
construction.



Front yard (wrought
iron) fencing on NW
Military meets side
yard (wood +
masonry) fencing.

East side (A-1 zoned)



Front yard fencing on
NW Military (east
side or A-1 zoned).

Masonry (brick)
construction.

Currently non-
conforming.





Side & rear yard
fencing on NW
Military (west side or
A-3 zoned).

Masonry (brick) or
wood construction.





Side & rear yard
fencing on NW
Military (west side or
A-3 zoned).

Wood + Masonry
construction.





Side / rear yard masonry solid wall NW Military (west side or A-4 zoned).

This is the wall that frames the southern entrance to the City.



De Zavala Road

Existing Fences / Walls



Side & rear yard rock wall on De Zavala (A-4 zoned).

Masonry construction.





Front & side yard rock wall on De Zavala (A-4 zoned). Last home with rock wall on south-side De Zavala until Shavano Creek.

Masonry construction.

Standing in the gap for A-3 on De Zavala south-side.



Across street is a wood solid fence.



Side yard wood +
masonry solid fencing
on De Zavala (A-4
zoned).

CHAPTER 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE IV. - MISCELLANEOUS CONSTRUCTION REQUIREMENTS

Sec. 6-92. - Fences.

- (1) All fences, including screening walls, shall meet the following conditions:
 - a. Fences shall be constructed of masonry, brick, stone, wood, concrete, or wrought iron. In the A-1 district chainlink and hogwire style fences are additionally permitted, excepting all A-1 district lots where the front yard faces NW Military Highway (FM 1535).
 - b. Fences shall have colors that are aesthetically consistent with the surrounding area as determined by the Building Official.
 - c. No fence shall be higher than eight feet above grade.
 - d. In no event shall a fence's base width exceed 36 inches.
 - e. Fences must be constructed in such a way that does not change the natural drainage of water, as determined by the Building Official.
- (2) Side and rear fencing is allowed in all residential zoning districts provided they meet the regulations of subsection (f)(1).
- (3) Front fencing is allowed in all residential zoning districts provided it meets the regulations of subsection (f)(1) and the following conditions:
 - a. Front fencing shall not be past the front edge of the residence or building in all residential zoning districts except as follows:
 - (i) In A-1 and A-1 PUD (Huntington) zoning districts; and
 - (ii) For any residential lot where the front yard faces the streets of NW Military Highway (FM 1535) or De Zavala Road.
 - b. Solid front fencing is not permitted in any residential zoning district except as follows:
 - (i) In A-1 PUD (Huntington) zoning district; and
 - (ii) For any residential lot where the front yard faces the streets of NW Military Highway (FM 1535) or De Zavala Road.
 - d. Front gates must be wide enough as to provide access for any and all emergency vehicles.
 - e. Front fences must not encompass any fire hydrant that may be present.
- (4) For any property within the City limits with a side or rear yard abutting one or more of the City streets known as Lockhill Selma Road, NW Military Hwy., De Zavala Road and Huebner Road (where such property presently has a solid wall along or parallel to one or more of such streets), such property owner may not construct a gate or other opening to their side or rear yard. Any property with an existing gate, as of (August 1, 2020) on property lines described above is considered a non-conforming use and may continue to exist.

~~Front fencing past the front edge of a residence or building is only allowed in an A-1 zoning district. A-2, A-3, A-4, and A-5 PUD zoning districts can have front fencing but cannot be past the front edge of the residence or building. Side and rear fencing is allowed in all districts. All fencing must meet the following criteria:~~

- ~~(1) — Fences not more than eight feet in height are permitted, provided that said fences are constructed of wood, concrete, brick, wrought iron or other materials approved by the Building Official and the materials are architecturally and aesthetically consistent with the surrounding area.~~
- ~~(2) — On a corner lot, no shrubbery, when mature height is greater than 18 inches, may be planted within the area created by a straight line connecting two points that are respectively 30 feet along the side and front property lines from a street intersection.~~
- ~~(3) — Fences should be constructed in such a way as to not be an obstruction or change the natural drainage of water. Solid front fencing is not permitted, except in A-1 PUD Zoning District.~~
- ~~(4) — Front driveway gates shall have at least a minimum of a 12-foot opening for emergency vehicle access.~~
- ~~(5) — Any shrubbery, when mature height is greater than 18 inches, must not be within three feet of a fire hydrant.~~
- ~~(6) — No fence shall encompass any fire hydrant.~~

CHAPTER 14 – ENVIRONMENT

ARTICLE III. - RIGHTS-OF-WAY AND VEGETATION PROTRUSIONS

Sec. 14-50. - Prohibited protrusion above rights-of-way.

It shall be unlawful for any person owning, occupying, or having supervision or control of any lot, tract, parcel of land, or portion thereof, whether it be occupied, improved, or unimproved, to permit the protrusion or overhang of trees, bushes, shrubs, and similar vegetation or structures over the right-of-way, or a street between curb to curb, to a height under 14 feet above the rights-of-way within the City limits.

Sec. 14-51. - Prohibited area of non-curbed side street.

Where a side street is not curbed, the prohibited area shall start at the edge of the designated pavement width and shall include the right-of-way. Protrusion or overhang is prohibited over other easements and rights-of-way adjacent to streets to a height under 14 feet.

Sec. 14-52. – Vegetation height in right-of-way and near fire hydrants

On a corner lot, no shrubbery, when mature with a height greater than 18 inches, may be planted within the area created by a straight line connecting two points that are respectively 30 feet along the side and front property lines from a street intersection. No shrubbery, when mature height is greater than 18 inches may be within three feet of a fire hydrant.

Sec. 14-5~~3~~2. - Warning notice.

A warning notice regarding the landowner's violation of this article shall be sent to the landowner by regular mail requesting that the landowner contact the Code ~~Compliance Enforcement~~ Officer to discuss a date when the landowner shall come in compliance with this article. If, after 14 days from the date this initial notice is mailed, the City has not received a response from the landowner, the City shall send a second warning notice to the landowner by certified mail, return receipt requested, requesting that the landowner contact the building official within five days of receipt of the certified letter to determine when the landowner shall come in compliance with this article. Failure of the landowner to contact the City or the Code Compliance Officer after said notices or the failure of the landowner to complete the promised compliance with this article shall indicate a refusal of the landowner to comply with this article. Once these notice provisions have been completed and if the landowner has failed to respond or has failed to comply with this article and warnings, the Code Compliance Officer is then authorized to file a complaint in Municipal Court as authorized by this article.

Sec. 14-5~~43~~. - Violation, penalty.

Any person who shall violate any provision of this article shall be deemed guilty of a Class C misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00.

CHAPTER 28 - SUBDIVISIONS

ARTICLE IV. - STREETS AND SIDEWALKS

Sec. 28-110. – 124. NO CHANGES

Sec. 28-125. - Intersection sight distance.

To ensure safety of motorists and other travelers, it is necessary that drivers who are entering an intersection have an adequate view of approaching motorists. This view is required over a clear vision area, which is a right triangle where one side is called "intersection sight distance" and the adjacent side is the distance between the driver and the path of the vehicles approaching from the side. The clear vision area is that portion of a property over which motorists must see to safely judge and execute a driving maneuver into the intersection and onto the street. This applies to intersections of two or more streets as well as junctions of driveways and streets.

Clear vision areas must be free of visual obstructions, e.g. structures, walls, fences, and vegetation, which are higher than three feet and lower than eight feet above the pavement. On a corner lot, no shrubbery, when mature with a height greater than 18 inches, may be planted within the area created by a straight line connecting two points that are respectively 30 feet along the side and front property lines from a street intersection. The American Association of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets, or latest revision thereof determines this length of the required intersection sight distance.

Fencing amendments (NW Military permissive)

Sec. 28-125 -143. NO CHANGES

Secs. 28-144—28-159. - Reserved.

CHAPTER 36. – ZONING

Sec. 36-1. – Definitions.

...

Fence means a freestanding structure of metal, masonry, or wood, or any combination thereof, resting on or partially buried in the ground and rising above ground level, and used for confinement, screening, landscaping, or partition purposes, but which does not pose a threat to public safety or health.

Sec. 36-36. - A-1, A-2, A-3, A-4 and A-5 PUD Single-Family Residential Districts.

...

(f) *Fences.*

- (1) All fences, including screening walls, shall meet the following conditions:
 - a. Fences shall be constructed of masonry, brick, stone, wood, concrete, or wrought iron. In the A-1 district chainlink and hogwire style fences are additionally permitted, excepting all A-1 district lots where the front yard faces NW Military Highway (FM 1535).
 - b. Fences shall have colors that are aesthetically consistent with the surrounding area.
 - c. No fence shall be higher than eight feet above grade.
 - d. In no event shall a fence's base width exceed 36 inches.
 - e. Fences must be constructed in such a way that does not change the natural drainage of water, as determined by the Building Official.
- (2) Side and rear fencing is allowed in all residential zoning districts provided they meet the regulations of subsection (f)(1).
- (3) Front fencing is allowed in all residential zoning districts provided it meets the regulations of subsection (f)(1) and the following conditions:
 - a. Front fencing shall not be past the front edge of the residence or building in all residential zoning districts except as follows:
 - ~~Front fencing past the front edge of a residence or building is (i) only allowed~~
In an A-1 and A-1 PUD (Huntington) zoning districts; and-
 - (ii) For any residential lot where the front yard faces the streets of NW Military Highway (FM 1535) or De Zavala Road.

Fencing amendments (NW Military permissive)

b. Solid front fencing is not permitted in any residential zoning district except as follows:

(i) In A-1 PUD (Huntington) zoning district; and

(ii) For any residential lot where the front yard faces the streets of NW Military Highway (FM 1535) or De Zavala Road.

d. Front gates must be wide enough as to provide access for any and all emergency vehicles.

e. Front fences must not encompass any fire hydrant that may be present.

(4)

~~(2) Front fencing in A-2 zoning shall not be past the front edge of the residence or building.~~

~~(3) Side and rear fencing is allowed in all districts provided they meet the following criteria, including front fences:~~

~~a. Fences not more than eight feet in height are permitted and shall be constructed of masonry, brick or stone, wood, concrete, or wrought iron. In A-1 District, chainlink and hog-wire style fences are additionally permitted.~~

~~b. On a corner lot, no shrubbery, when mature with a height greater than 18 inches, may be planted within the area created by a straight line connecting two points that are respectively 30 feet along the side and front property lines from a street intersection.~~

~~c. Fences must be constructed in such a way that does not change the natural drainage of water.~~

~~d. Except in A-1 District and Unit 19 (Huntington Subdivision) A-1 PUD District, fencing shall not be permitted beyond the front face of the residence. Front driveway gates shall have at least a minimum of a 12-foot opening. In A-1 District and excluding Unit 19 (Huntington Subdivision) A-1 PUD, no one shall construct fencing beyond the front face of the residence in a manner that impedes the view of persons beyond the residence's property line. In no event shall a base footer exceed 36 inches.~~

~~e. No shrubbery, when mature height is greater than 18 inches may be within three feet of a fire hydrant.~~

~~f. Front fences must not encompass any fire hydrant that may be present.~~

g. For any property within the City limits with a ~~property line~~ rear or side yard abutting one or more of the City streets known as Lockhill Selma Road, NW Military Hwy., De Zavala Road and Huebner Road (where such property presently has a solid wall along or parallel to one or more of such streets at the property line), such property owner may not construct a gate or other opening on such property line. Any property with an existing gate as of (August 1, 2020) on property lines described above is considered a non-conforming use and may continue to exist.

...

ARTICLE VI. - TABLES

Table No. 1
A-1, A-1 PUD, A-2, A-2 PUD, A-3, A-4 and A-5 PUD
Single-Family Dwelling Districts

...

(d) *Fences.*

- (1) *Fences in general.* All fences shall comply with Section 6-92, Section 36-36(f) and the other applicable ordinances of the City.
- (2) *Front fences.* Front gates must be wide enough as to provide access for any and all emergency vehicles. Any front fence must not encompass any fire hydrant that may be present.

CHAPTER 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE IV. - MISCELLANEOUS CONSTRUCTION REQUIREMENTS

Sec. 6-92. - Fences.

- (1) All fences, including screening walls, shall meet the following conditions:
 - a. Fences shall be constructed of masonry, brick, stone, wood, concrete, or wrought iron. In the A-1 district chainlink and hogwire style fences are additionally permitted, excepting all A-1 district lots whose front yard faces NW Military Highway (FM 1535). For detailed fence regulations on A-1 district lots that face NW Military Highway see Section 6-92(4).
 - b. Fences shall have colors that are aesthetically consistent with the surrounding area as determined by the Building Official.
 - c. No fence shall be higher than eight feet above grade.
 - d. In no event shall a fence's base width exceed 36 inches.
 - e. Fences must be constructed in such a way that does not change the natural drainage of water, as determined by the Building Official.
- (2) Side and rear fencing is allowed in all residential zoning districts provided they meet the regulations of subsection (f)(1).
- (3) Front fencing is allowed in all residential zoning districts provided it meets the regulations of subsection (f)(1) and the following conditions:
 - a. Front fencing shall not be past the front edge of the residence or building in all residential zoning districts except as follows:
 - (i) In A-1 and A-1 PUD (Huntington) zoning districts; and
 - (ii) For any residential lot where the front yard faces the streets of NW Military Highway (FM 1535) or De Zavala Road. See Section 6-92(4) for specific regulations.
 - b. Solid front fencing is not permitted in any residential zoning district except as follows:
 - (i) In A-1 PUD (Huntington) zoning district; and
 - (ii) For any residential lot where the front yard faces the streets of NW Military Highway (FM 1535) or De Zavala Road. See Section 6-92(4) for specific regulations.
 - d. Front gates must be wide enough as to provide access for any and all emergency vehicles.
 - e. Front fences must not encompass any fire hydrant that may be present.
- (4) In order to maintain compatibility with the distinctive architectural and aesthetic characteristics of the primary roadways of the City, NW Military (FM 1535) and De Zavala Road (as of August 1, 2020), the following regulations in addition to subsection (f)(1) apply to front fencing past the front edge of the residence or building on any residential lot where the front yard faces the streets of NW Military Highway (FM 1535) or De Zavala Road:

- (a) All front fences shall be constructed of masonry, wrought iron or wood or other material architecturally and aesthetically consistent with the surrounding area as determined by the Building Official.
- (b) All front fences shall be the same distance from NW Military Highway (FM 1535) right-of-way as existing neighboring fences. If no neighboring fences exist, front fences shall be offset from the right-of-way by no more than ten feet. These regulations would not apply if such construction would create unsafe conditions or impede the natural drainage of water as determined by the Building Official
- (c) All front fences shall be the same height as existing neighboring fences unless such construction would create unsafe conditions as determined by the Building Official. If no existing neighboring fences exist, then no fence shall be higher than eight feet above grade.
- (d) All front fences shall be maintained in good condition and kept structurally sound. The Building Official may declare deteriorated or structurally unsound fences to be a public safety hazard to nearby pedestrian and vehicular traffic in the public right-of-way.
- (5) For any property within the City limits with a side or rear yard abutting one or more of the City streets known as Lockhill Selma Road, NW Military Hwy., De Zavala Road and Huebner Road (where such property presently has a solid wall along or parallel to one or more of such streets), such property owner may not construct a gate or other opening to their side or rear yard. Any property with an existing gate as of (August 1, 2020) on property lines described above is considered a non-conforming use and may continue to exist.

~~Front fencing past the front edge of a residence or building is only allowed in an A-1 zoning district. A-2, A-3, A-4, and A-5 PUD zoning districts can have front fencing but cannot be past the front edge of the residence or building. Side and rear fencing is allowed in all districts. All fencing must meet the following criteria:~~

- ~~(1) Fences not more than eight feet in height are permitted, provided that said fences are constructed of wood, concrete, brick, wrought iron or other materials approved by the Building Official and the materials are architecturally and aesthetically consistent with the surrounding area.~~
- ~~(2) On a corner lot, no shrubbery, when mature height is greater than 18 inches, may be planted within the area created by a straight line connecting two points that are respectively 30 feet along the side and front property lines from a street intersection.~~
- ~~(3) Fences should be constructed in such a way as to not be an obstruction or change the natural drainage of water. Solid front fencing is not permitted, except in A-1 PUD Zoning District.~~
- ~~(4) Front driveway gates shall have at least a minimum of a 12-foot opening for emergency vehicle access.~~
- ~~(5) Any shrubbery, when mature height is greater than 18 inches, must not be within three feet of a fire hydrant.~~
- ~~(6) No fence shall encompass any fire hydrant.~~

CHAPTER 14 – ENVIRONMENT

ARTICLE III. - RIGHTS-OF-WAY AND VEGETATION PROTRUSIONS

Sec. 14-50. - Prohibited protrusion above rights-of-way.

It shall be unlawful for any person owning, occupying, or having supervision or control of any lot, tract, parcel of land, or portion thereof, whether it be occupied, improved, or unimproved, to permit the protrusion or overhang of trees, bushes, shrubs, and similar vegetation or structures over the right-of-way, or a street between curb to curb, to a height under 14 feet above the rights-of-way within the City limits.

Sec. 14-51. - Prohibited area of non-curbed side street.

Where a side street is not curbed, the prohibited area shall start at the edge of the designated pavement width and shall include the right-of-way. Protrusion or overhang is prohibited over other easements and rights-of-way adjacent to streets to a height under 14 feet.

Sec. 14-52. – Vegetation height in right-of-way and near fire hydrants

On a corner lot, no shrubbery, when mature with a height greater than 18 inches, may be planted within the area created by a straight line connecting two points that are respectively 30 feet along the side and front property lines from a street intersection. No shrubbery, when mature height is greater than 18 inches may be within three feet of a fire hydrant.

Sec. 14-5~~3~~2. - Warning notice.

A warning notice regarding the landowner's violation of this article shall be sent to the landowner by regular mail requesting that the landowner contact the Code ~~Compliance~~Enforcement Officer to discuss a date when the landowner shall come in compliance with this article. If, after 14 days from the date this initial notice is mailed, the City has not received a response from the landowner, the City shall send a second warning notice to the landowner by certified mail, return receipt requested, requesting that the landowner contact the building official within five days of receipt of the certified letter to determine when the landowner shall come in compliance with this article. Failure of the landowner to contact the City or the Code Compliance Officer after said notices or the failure of the landowner to complete the promised compliance with this article shall indicate a refusal of the landowner to comply with this article. Once these notice provisions have been completed and if the landowner has failed to respond or has failed to comply with this article and warnings, the Code Compliance Officer is then authorized to file a complaint in Municipal Court as authorized by this article.

Sec. 14-5~~4~~3. - Violation, penalty.

Any person who shall violate any provision of this article shall be deemed guilty of a Class C misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00.

CHAPTER 28 - SUBDIVISIONS

ARTICLE IV. - STREETS AND SIDEWALKS

Sec. 28-110. – 124. NO CHANGES

Sec. 28-125. - Intersection sight distance.

To ensure safety of motorists and other travelers, it is necessary that drivers who are entering an intersection have an adequate view of approaching motorists. This view is required over a clear vision area, which is a right triangle where one side is called "intersection sight distance" and the adjacent side is the distance between the driver and the path of the vehicles approaching from the side. The clear vision area is that portion of a property over which motorists must see to safely judge and execute a driving maneuver into the intersection and onto the street. This applies to intersections of two or more streets as well as junctions of driveways and streets.

Clear vision areas must be free of visual obstructions, e.g. structures, walls, fences, and vegetation, which are higher than three feet and lower than eight feet above the pavement. On a corner lot, no shrubbery, when mature with a height greater than 18 inches, may be planted within the area created by a straight line connecting two points that are respectively 30 feet along the side and front property lines from a street intersection. The American Association of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets, or latest revision thereof determines this length of the required intersection sight distance.

Sec. 28-125 -143. NO CHANGES

Secs. 28-144—28-159. - Reserved.

Sec. 36-1. – Definitions.

...

Fence means a freestanding structure of metal, masonry, or wood, or any combination thereof, resting on or partially buried in the ground and rising above ground level, and used for confinement, screening, landscaping, or partition purposes, but which does not pose a threat to public safety or health.

Sec. 36-36. - A-1, A-2, A-3, A-4 and A-5 PUD Single-Family Residential Districts.

...

(f) *Fences.*

(1) All fences, including screening walls, shall meet the following conditions:

- a. Fences shall be constructed of masonry, brick, stone, wood, concrete, or wrought iron. In the A-1 district chainlink and hogwire style fences are additionally permitted excepting all A-1 district lots whose front yard faces NW Military Highway (FM 1535). For detailed fence regulations on A-1 district lots that face NW Military Highway see Section 6-92(4).
- b. Fences shall have colors that are aesthetically consistent with the surrounding area as determined by the Building Official.
- c. No fence shall be higher than eight feet above grade.
- d. In no event shall a fence's base width exceed 36 inches.
- e. Fences must be constructed in such a way that does not change the natural drainage of water as determined by the building official.

(2) Side and rear fencing is allowed in all residential zoning districts provided they meet the regulations of this subsection (f)(1).

(3) Front fencing is allowed in all residential zoning districts provided it meets the regulations of subsection (f)(1) and the following conditions:

- a. Front fencing shall not be past the front edge of the residence or building in all residential zoning districts except as follows:
 - (i) In A-1 and A-1 PUD (Huntington) zoning districts; and
 - (ii) For any residential lot where the front yard faces the streets of NW Military Highway (FM 1535) or De Zavala Road. See Section 6-92(4) for specific regulations.
- b. Solid front fencing is not permitted in any residential zoning district except as follows:
 - (i) In A-1 PUD (Huntington) zoning district; and
 - (ii) For any residential lot where the front yard faces the streets of NW Military Highway (FM 1535) or De Zavala Road. See Section 6-92(4) for specific regulations.
- d. Front gates must be wide enough as to provide access for any and all emergency vehicles.
- e. Front fences must not encompass any fire hydrant that may be present.

Fencing amendments (NW Military aesthetics)

(4) In order to maintain compatibility with the distinctive architectural and aesthetic characteristics of the primary roadways of the City, NW Military (FM 1535) and De Zavala Road (as of July 1, 2020), the following regulations for front fencing past the front edge of the residence or building apply to any residential lot where the front yard faces the streets of NW Military Highway (FM 1535) or De Zavala Road:

- (a) All front fences shall be constructed of masonry, wrought iron or wood or other material architecturally and aesthetically consistent with the surrounding area as determined by the Building Official.
- (b) All front fences shall be the same distance from NW Military Highway (FM 1535) right-of-way as existing neighboring fences. If no neighboring fences exist, front fences shall be offset from the right-of-way by no more than ten feet. These regulations would not apply if such construction would create unsafe conditions or impede the natural drainage of water as determined by the Building Official
- (c) All front fences shall be the same height as existing neighboring fences unless such construction would create unsafe conditions as determined by the Building Official.
- (d) All front fences shall be maintained in good condition and kept structurally sound. The Building Official may declare deteriorated or structurally unsound fences to be a public safety hazard to nearby pedestrian and vehicular traffic in the public right-of-way.

(5g) For any property within the City limits with a ~~property~~ lineside or rear yard abutting one or more of the City streets known as Lockhill Selma Road, NW Military Hwy., De Zavala Road and Huebner Road (where such property presently has a solid wall along or parallel to one or more of such streets at the property line), such property owner may not construct a gate or other opening on such property line. Any property with an existing gate as of (August 1, 2020) on property lines described above is considered a non-conforming use and may continue to exist.

~~(f) —Fences:~~

~~(1) Front fencing past the front edge of a residence or building is only allowed in an A-1 zoning district.~~

~~(2) —Front fencing in A-2 zoning shall not be past the front edge of the residence or building.~~

~~(3) —Side and rear fencing is allowed in all districts provided they meet the following criteria, including front fences:~~

~~a. —Fences not more than eight feet in height are permitted and shall be constructed of masonry, brick or stone, wood, concrete, or wrought iron. In A-1 District, chainlink and hog-wire style fences are additionally permitted.~~

Fencing amendments (NW Military aesthetics)

- ~~b. On a corner lot, no shrubbery, when mature with a height greater than 18 inches, may be planted within the area created by a straight line connecting two points that are respectively 30 feet along the side and front property lines from a street intersection.~~
- ~~c. Fences must be constructed in such a way that does not change the natural drainage of water.~~
- ~~d. Except in A-1 District and Unit 19 (Huntington Subdivision) A-1 PUD District, fencing shall not be permitted beyond the front face of the residence. Front driveway gates shall have at least a minimum of a 12-foot opening. In A-1 District and excluding Unit 19 (Huntington Subdivision) A-1 PUD, no one shall construct fencing beyond the front face of the residence in a manner that impedes the view of persons beyond the residence's property line. In no event shall a base footer exceed 36 inches.~~
- ~~e. No shrubbery, when mature height is greater than 18 inches may be within three feet of a fire hydrant.~~
- ~~f. Front fences must not encompass any fire hydrant that may be present.~~

ARTICLE VI. - TABLES

Table No. 1
A-1, A-1 PUD, A-2, A-2 PUD, A-3, A-4 and A-5 PUD
Single-Family Dwelling Districts

...

(d) *Fences.*

- (1) *Fences in general.* All fences shall comply with Section 6-92, Section 36-36(f) and the other applicable ordinances of the City.
- (2) *Front fences.* Front gates must be wide enough as to provide access for any and all emergency vehicles. Any front fence must not encompass any fire hydrant that may be present.

CITY OF SHAVANO PARK



June 25, 2020

Planning & Zoning Commission
City of Shavano Park
900 Saddletree Court
Shavano Park, TX 78230

Reference: Shavano Park Amending Plat of Pond Hill Garden Villas, Lot 2245
Notification of Administrative Approval Letter

Dear Chairman Aleman and Commissioners:

This notification is being made in accordance with Sec. 28-47(a)(4) which requires written notice to the Planning & Zoning Commission within 60 days of a City Manager administrative amended plat approval.

I am notifying the Commission of my administrative approval of the June 17, 2020 Pape-Dawson Engineering request for an administrative amendment of the approved subdivision plat Pond Hill Garden Villas. This amendment corrected a scrivener error which depicted both a zero lot line and a 10 foot setback on the same east side of the Lot 2245. The correction moves the zero lot line on Lot 2245 to the west side of the lot. I understand this amendment will correct a scrivener or clerical error or omission previously approved by the City in compliance with the conditions set forth in Sec. 28-47(a)(2).

On June 24, 2020 the City Engineer, KFW Engineers & Surveying, completed its review of the request and found the amending subdivision plat conforms to the City of Shavano Park's Ordinances. Please see attached KFW Engineers & Surveying Response Letter and Sec. 28-47 of the City of Shavano Park Code of Ordinances for your review.

Sincerely,

Bill Hill
City Manager



June 17, 2020

City of Shavano Park
Attn: Curtis Leeth
900 Saddletree Court
San Antonio, Texas 78231

Re: Pond Hill Garden Villas
Replat of Lot 2245, Block 26, Volume 9705, Pages 86-87

Dear Mr. Leeth:

Attached, please find a replat for Pond Hill Garden Villas. The replat will establish Lot 2245, Block 26, previously recorded as Lot 2245, Block 26, Volume 9705, Pages 86-87.

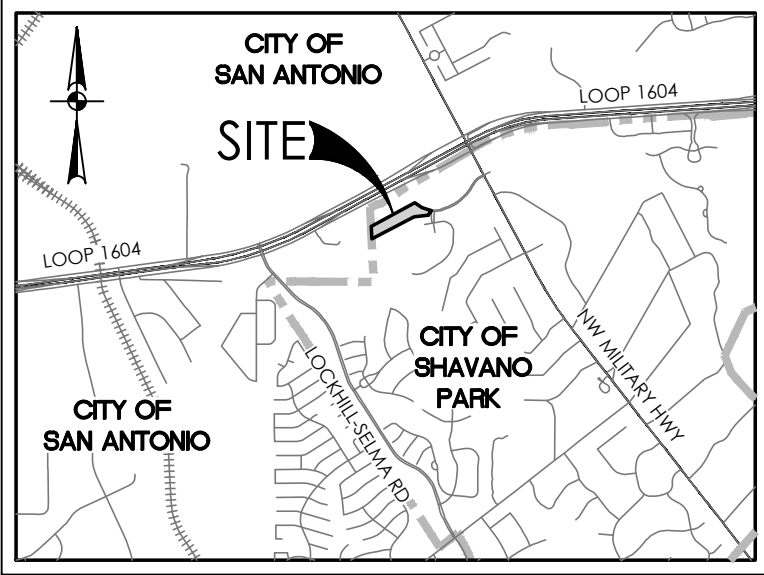
The area is being replatted in order to revise the zero lot line on Lot 2245 to be on the west side of the lot. Due to the minor nature of the replat we would like to request that the replat be considered for preliminary and final review at this time.

If you have any questions or require any additional information, please do not hesitate to contact our office at your earliest convenience.

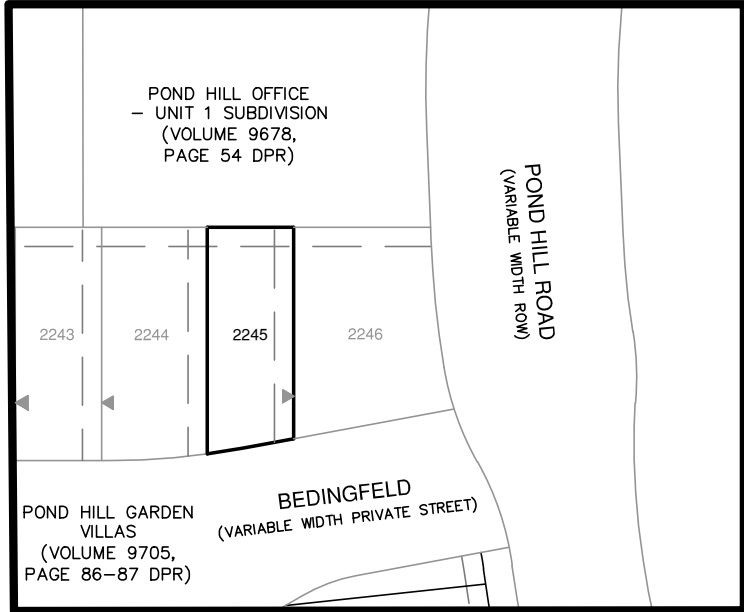
Sincerely,
Pape-Dawson Engineers, Inc.
Texas Board of Professional Engineers, Firm Registration #470

Caleb Chance, P.E.
Vice President, Land Development

P:\71\18\89\Word\Letters\Amending Plat Letter.doc



LOCATION MAP
NOT-TO-SCALE



AREA BEING AMENDED
SCALE: 1"= 100'

REASON FOR AMENDING:

PURSUANT TO SECTION 28-47 (c)(2) (i) (6); CORRECT ANY OTHER TYPE OF SCRIVENER OR CLERICAL ERROR OR MISSION PREVIOUSLY APPROVED BY THE MUNICIPAL AUTHORITY RESPONSIBLE FOR APPROVING PLATS, INCLUDING LOT NUMBERS, ACREAGE, STREET NAMES, AND IDENTIFICATION OF ADJACENT RECORDED PLATS.

AMENDMENTS ARE AS FOLLOWS:

REVISED THE ZERO LOT LINE ON LOT 2245 TO BE ON THE WEST SIDE OF THE LOT.

C.P.S. NOTES:

- THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENTS AND RIGHTS-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT," "GAS EASEMENT," "ANCHOR EASEMENT," "SERVICE EASEMENT," "OVERHANG EASEMENT," "UTILITY EASEMENT," AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING POLES, HANGING OR BURYING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES; TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THERETO. IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREA.
- ANY CPS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS EQUIPMENT, LOCATED WITHIN SAID EASEMENT, DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATION.
- THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW.
- CONCRETE DRIVEWAY APPROACHES ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN LOTS ARE SERVED ONLY BY REAR LOT UNDERGROUND ELECTRIC AND GAS FACILITIES.
- ROOF OVERHANGS ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC, GAS, TELEPHONE AND CABLE TV EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC, GAS, TELEPHONE AND CABLE TV FACILITIES ARE PROPOSED OR EXISTING WITHIN THOSE FIVE (5) FOOT WIDE EASEMENTS.

CERTIFICATION OF CITY'S ENGINEER

THE CITY ENGINEER OF THE CITY OF SHAVANO PARK HEREBY CERTIFIES THAT THIS SUBDIVISION PLAT CONFORMS TO ALL THE SUBDIVISION REGULATIONS OF THE CITY AS TO WHICH HIS APPROVAL IS REQUIRED.

CITY ENGINEER

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE CITY COUNCIL OF THE CITY OF SHAVANO PARK, TEXAS.

LICENSED PROFESSIONAL ENGINEER

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY: PAPE-DAWSON ENGINEERS, INC.

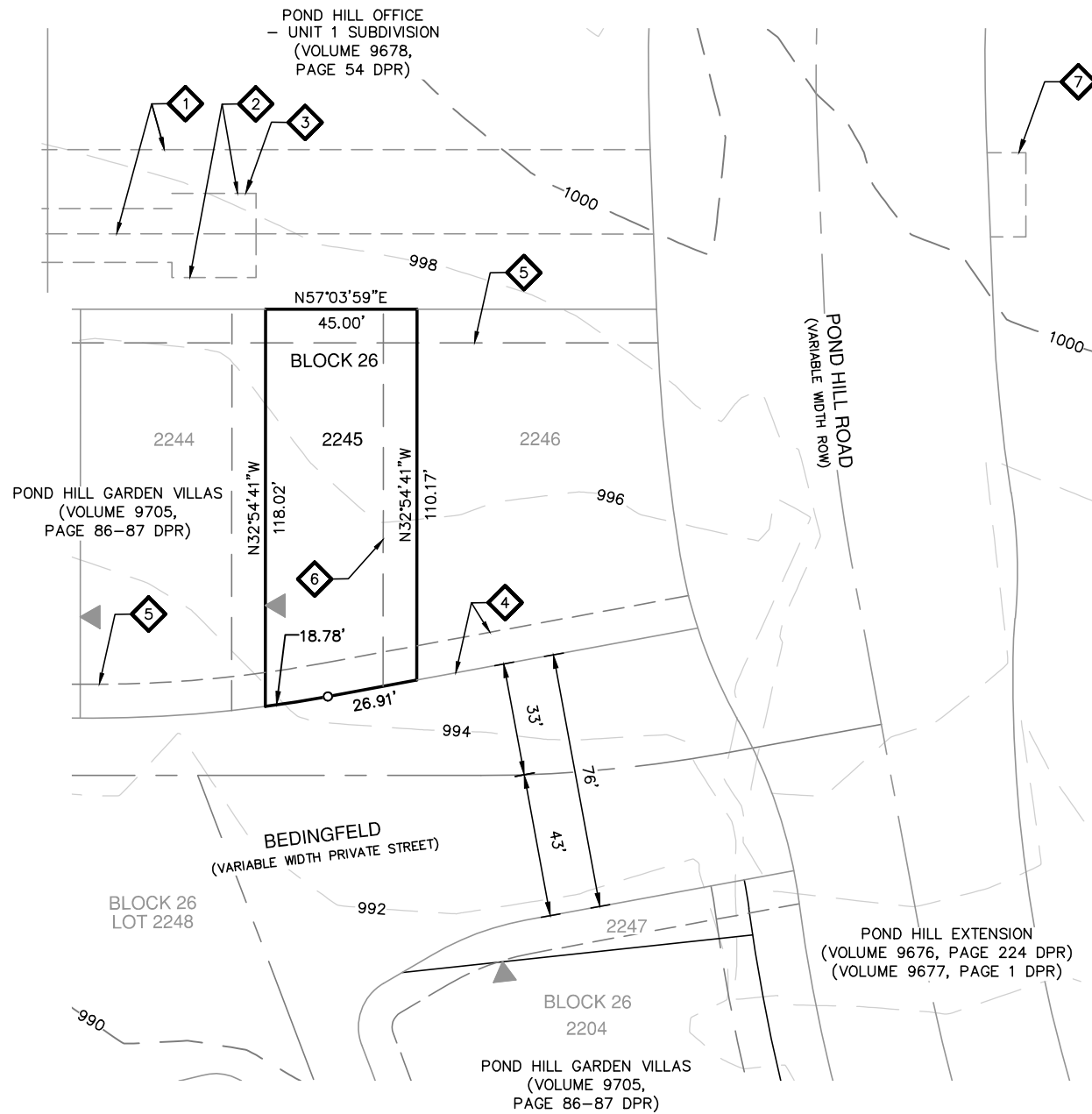
PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE. THIS DOCUMENT IS BEING RELEASED FOR REVIEW PURPOSES BY: DAVID CASANOVA, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4251,

REGISTERED PROFESSIONAL LAND SURVEYOR

LEGEND

- DPR DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
OPR OFFICIAL PUBLIC RECORDS (OFFICIAL PUBLIC RECORDS OF REAL PROPERTY) OF BEXAR COUNTY, TEXAS
(PUD) PLANNED UNIT DEVELOPMENT
CB COUNTY BLOCK
ROW RIGHT-OF-WAY
- - 1140 - - EXISTING CONTOURS
- - 1140 - - PROPOSED CONTOURS
ZERO LOT LINE

- 1 VARIABLE WIDTH DRAINAGE, GAS, ELECTRIC, TELEPHONE, CABLE TELEVISION AND WATER EASEMENT TO EXPIRE UPON INCORPORATION INTO PLATTED STREET & LOT. (VOLUME 9676, PAGE 224 DPR) (VOLUME 9677, PAGE 1 DPR)
2 16' SANITARY SEWER EASEMENT (VOLUME 9676, PAGE 224 DPR) (VOLUME 9677, PAGE 1 DPR)
3 25' x 25' SANITARY SEWER EASEMENT (VOLUME 9676, PAGE 224 DPR) (VOLUME 9677, PAGE 1 DPR)
4 10' GAS, ELECTRIC, TELEPHONE, CABLE TV, AND WATER EASEMENT
5 10' BUILDING SETBACK LINE
6 10' SIDE BUILDING SETBACK LINE



INGRESS/EGRESS SEWER:

"THE SAN ANTONIO WATER SYSTEM IS HEREBY GRANTED THE RIGHT OF INGRESS AND EGRESS ACROSS GRANTOR'S ADJACENT PROPERTY TO ACCESS THE WASTEWATER EASEMENT(S) SHOWN ON THIS PLAT"

INGRESS/EGRESS WATER:

"THE SAN ANTONIO WATER SYSTEM IS HEREBY GRANTED THE RIGHT OF INGRESS AND EGRESS ACROSS GRANTOR'S ADJACENT PROPERTY TO ACCESS THE WATER EASEMENT(S) SHOWN ON THIS PLAT"

WASTEWATER EDU NOTE:

THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDU'S) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE DEVELOPMENT SERVICES DEPARTMENT.

EDU IMPACT FEE PAYMENT NOTE:

WATER AND/OR WASTEWATER IMPACT FEES WERE NOT PAID AT THE TIME OF PLATTING FOR THIS PLAT. ALL IMPACT FEES MUST BE PAID PRIOR TO WATER METER SET AND/OR PRIOR TO THE WASTEWATER SERVICE CONNECTION.

FIRE FLOW DEMAND NOTE:

IN AN EFFORT TO MEET THE CITY OF SAN ANTONIO'S FIRE FLOW REQUIREMENTS FOR THE PROPOSED RESIDENTIAL DEVELOPMENT, THE PUBLIC WATER MAIN SYSTEM HAS BEEN DESIGNED FOR A MINIMUM FIRE FLOW DEMAND OF 1500 GPM AT 25 PSI RESIDUAL PRESSURE. THE FIRE FLOW REQUIREMENTS FOR INDIVIDUAL STRUCTURES WILL BE REVIEWED DURING THE BUILDING PERMIT PROCESS IN ACCORDANCE WITH THE PROCEDURES SET FORTH BY THE CITY OF SAN ANTONIO DIRECTOR OF DEVELOPMENT SERVICES AND THE SAN ANTONIO FIRE DEPARTMENT FIRE MARSHAL.

AQUIFER NOTE:

THIS SUBDIVISION IS WITHIN THE EDWARDS AQUIFER RECHARGE ZONE DEVELOPMENT WITHIN THIS SUBDIVISION IS SUBJECT TO CHAPTER 34, ARTICLE VI, DIVISION 6 OF THE SAN ANTONIO & SHAVANO PARK CITY CODE ENTITLED "AQUIFER RECHARGE ZONE AND WATERSHED PROTECTION", OR LATEST REVISIONS THEREOF. ANY REGULATED ACTIVITY MUST COMPLY WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS RELATING TO DEVELOPMENT WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.

PRIVATE STREET NOTE:

LOT 2248, BLOCK 26 IS A PRIVATE STREET AND IS DESIGNATED AS AN UNDERGROUND ELECTRIC, GAS, TELEPHONE CABLE TELEVISION, DRAINAGE, WATER, PEDESTRIAN, AND SANITARY SEWER EASEMENT.

SAWS DEDICATION NOTE:

THE DEVELOPER DEDICATES THE SANITARY SEWER AND/OR WATER MAINS TO THE SAN ANTONIO WATER SYSTEM UPON COMPLETION BY THE DEVELOPER AND ACCEPTANCE BY THE SAN ANTONIO WATER SYSTEM.

SAWS HIGH PRESSURE NOTE:

A PORTION OF THE TRACT IS BELOW THE GROUND ELEVATION OF 985 FEET WHERE THE STATIC PRESSURE WILL NORMALLY EXCEED 80 PSI. AT ALL SUCH LOCATIONS, THE DEVELOPER OR BUILDER SHALL INSTALL AT EACH LOT, ON THE CUSTOMER'S SIDE OF THE METER, AN APPROVED TYPE PRESSURE REGULATOR IN CONFORMANCE WITH THE PLUMBING CODE OF THE CITY OF SAN ANTONIO.

OPEN SPACE NOTE:

LOTS 2209, 2210, 2228, 2246 & 2247 BLOCK 26, IS DESIGNATED AS OPEN SPACE AND AS A COMMON AREA/GREENSPACE (PERMEABLE) AND A DRAINAGE, ELECTRIC, GAS, TELEPHONE, CABLE TV, AND WATER EASEMENT.

AMENDING PLAT OF POND HILL GARDEN VILLAS

A 0.118 OF AN ACRE AREA BEING AMENDED WAS PREVIOUSLY PLATTED AS LOT 2245, BLOCK 26 OF POND HILL GARDEN VILLAS, RECORDED IN VOLUME 9705, PAGES 86-87 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, OF THE CITY OF SHAVANO PARK, BEXAR COUNTY, TEXAS.

**PAPE-DAWSON
ENGINEERS**

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000

TDPE FIRM REGISTRATION #478 | TDPLS FIRM REGISTRATION #100000000

DATE OF PREPARATION: June 12, 2020

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE OR PART OF AN ENCLAVE OR PLANNED UNIT DEVELOPMENT, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER: ROGERS SHAVANO PARK UNIT 18/19, LTD.
LLOYD A. DENTON, JR.
11 LYNN BATTS LANE, SUITE 100
SAN ANTONIO, TEXAS 78218
(210) 828-6131

STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED LLOYD A. DENTON, JR., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, A.D. 20____.

NOTARY PUBLIC, BEXAR COUNTY, TEXAS

SURVEYOR'S NOTES:

- PROPERTY CORNERS ARE MONUMENTED WITH CAP OR DISK MARKED "PAPE-DAWSON" UNLESS NOTED OTHERWISE.
- COORDINATES SHOWN ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE DISPLAYED IN GRID VALUES DERIVED FROM THE NGS COOPERATIVE CORS NETWORK.
- DIMENSIONS SHOWN ARE SURFACE.
- BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.

BASE ZONING EXCEPTION NOTE:

THIS PLAT DOES NOT MEET THE FOLLOWING REQUIREMENTS OF THE BASE ZONING DISTRICT OF MXD.
1) 36-41(d)(2): A 20-FOOT MINIMUM SETBACK SHALL BE REQUIRED FOR RESIDENTIAL GARAGES.

I, BILL HILL, CITY MANAGER OF THE CITY OF SHAVANO PARK, UNDER THE AUTHORITY GRANTED TO ME PURSUANT TO THE CITY OF SHAVANO PARK CODE OF ORDINANCES SECTION 28-47 DO HEREBY CERTIFY THIS AMENDING PLAT IS APPROVED FOR FILING OF RECORD WITH THE COUNTY CLERK OF BEXAR COUNTY, TEXAS.

CITY MANAGER DATE

CITY CLERK DATE

June 24, 2020

City of Shavano Park
Permitting Department
Attn: Marisa Knuffke
900 Saddletree Court
San Antonio, Texas 78231

Re: Plat Review Comments
Pond Hill Garden Villas – Amending Plat
Lot 2245, CB 4787, Napier Park unit 3, Shavano Park

Staff;

We have completed our review of the resubmittal for the referenced Permit Plan Submittal as submitted by Pape Dawson Engineers. We find the plan submittal generally conforms to the City of Shavano Park's Ordinances. However, we have the following engineering comments:

- The curve data for the southern line of the lot is incomplete and should have a curve table or additional data.
- The signature blocks should be signed & or notarized accordingly.

Our review of the plat does not relieve or release the Engineer, Architect or Surveyor of Record or from complying with any and all the requirements of the local, state, and federal rules and regulations or guidelines impacting this project. If you require additional information, please contact our office.

Sincerely,



Rick Gray, P.E., CFM
Plan Reviewer for the City of Shavano Park



On behalf of the:



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CITY OF SHAVANO PARK



June 25, 2020

Caleb Chance
Pape-Dawson Engineers, Inc.
2000 NW Loop 410
San Antonio, TX 78213

Reference: Shavano Park Amending Plat of Pond Hill Garden Villas, Lot 2245

Dear Mr. Chance:

I acknowledge Pape-Dawson's June 17, 2020 request for administrative review and consideration for amendment of the approved subdivision plat Pond Hill Garden Villa to reflect a revised zero lot line on Lot 2245 to the west side of the lot.

On June 24, 2020 the City Engineer, KFW Engineers & Surveying, completed its review of the request and found the amending subdivision plat conforms to the City of Shavano Park's Code of Ordinances. Our review of your request confirms that this amendment will correct a scrivener or clerical error which depicted both a zero lot line and a 10 foot setback on the same east side of the Lot 2245. The correction moves the zero lot line on Lot 2245 to the west side of the lot. This administrative approval is in compliance with the conditions set forth in Sec. 28-47(a)(2)(a)(6).

In accordance with Sec. 28-47(a)(2), I am approving your administrative amended plat request after favorable recommendation for approval from the City Engineer.

Sincerely,

Bill Hill
City Manager

Sec. 28-47. - Amending a plat.

- (a) Administrative amended plat. Subject to the following requirements, an administrative amended plat may be issued without the approval of the Planning and Zoning Commission and the City Council.
- (1) An administrative amended plat shall meet all of the informational and procedural requirements set forth for a final plat, including the required number of copies of the plat, a completed application form, and the required application fee.
 - (2) Upon receipt of a favorable recommendation for approval from the City Engineer, the City Manager may approve an amending plat which may be recorded and is controlling over the preceding or final plat without vacation of that plat if the amending plat is signed by the applicants only and if the amending plat is for one or more of the purposes set forth in this subsection.
 - a. The procedures for administrative amended plats shall apply only if the sole purpose of the amending plat is to:
 1. Correct an error in a course or distance shown on the preceding plat;
 2. Add a course or distance that was omitted on the preceding plat;
 3. Correct an error in a real property description shown on the preceding plat;
 4. Indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
 5. Show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
 6. Correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats; or
 7. Correct an error in courses and distances of lot lines between two adjacent lots if:
 - (i) Both lot owners join in the application for amending the plat;
 - (ii) Neither lot is abolished;
 - (iii) The amendment does not attempt to remove or modify recorded covenants or restrictions or easements; and
 - (iv) The amendment does not have a material adverse effect on the property rights of the owners in the plat.
 - b. An applicant wishing to amend an approved plat shall file with the City Manager the administrative amended plat, together with a copy of the plat being amended and a statement detailing the amendments being proposed for their consideration and approval under this subsection.
 - (3) The City Manager may approve administrative amended plats. The City Manager may, for any reason, elect to present the administrative amended plat to the Planning and Zoning Commission and the City Council for consideration and approval. Any decision made on the administrative amended plat by the City Manager shall be approval of the plat. Should the City Manager refuse to approve the administrative amended plat, then the plat shall be referred to the Planning and Zoning Commission and the City Council for review and approval within the time period required by state law.
 - (4) Upon the City Manager approving a Plat as provided for herein the City Manager shall, no later than 60 days after the approval, provide the Planning and Zoning Commission written notice of the approval.
 - (5) An amended plat shall be approved, conditionally approved, or disapproved within 30 days after the filing has been determined to be administratively complete by the City Manager. If the

amended plat is disapproved or approved with conditions, the applicant may submit responses to the reason for disapproval or conditional approval. Once responses are submitted by the applicant, the City shall have 15 days to approve, disapprove, or conditionally approve the amended plat. If the amended plat is disapproved, the applicant may refile.

- (b) Other amended plats. Subject to the following requirements, the Planning and Zoning Commission and the City Council may approve and issue an amending plat which may be recorded and is controlling over the preceding or final plat without vacation of that plat if the amending plat is signed by the applicants only and if the amending plat is for one or more of the purposes set forth in this subsection.
 - (1) The procedures for amending plats shall apply only if the sole purpose of the amending plat is to:
 - a. Amend a plat described in subsection (a)(2)a.;
 - b. Relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;
 - c. Relocate one or more lot lines between one or more adjacent lots if:
 - 1. The owners of all those lots join in the application for amending the plat;
 - 2. The amendment does not attempt to remove or modify recorded covenants or restrictions or easements; and
 - 3. The amendment does not increase the number of lots;
 - d. Make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:
 - 1. The changes do not affect applicable zoning and other regulations of the City;
 - 2. The amendment does not attempt to remove or modify recorded covenants or restrictions or easements; and
 - 3. The area covered by the changes is located in an area that the Planning and Zoning Commission and the City Council has approved, after a public hearing, as a residential improvement area; or
 - e. Replat one or more lots fronting on an existing street if:
 - 1. The owners of all those lots join in the application for amending the plat;
 - 2. The amendment does not attempt to remove recorded covenants or restrictions;
 - 3. The amendment does not increase the number of lots; and
 - 4. The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.
 - (2) An applicant wishing to amend an approved plat shall file with the Planning and Zoning Commission and the City Council the amending plat, together with a copy of the plat being amended and a statement detailing the amendments being proposed for their consideration and approval under this subsection.
- (c) Notice, a public hearing, and the approval of other lot owners is not required for the approval and issuance of an amending plat.
- (d) Except as provided above, no changes, erasures, modifications, or revisions shall be made in any plat of a subdivision after approval has been given by the Planning and Zoning Commission and accepted by the City Council unless such changes, modifications, or revisions are first filed to and approved by the Planning and Zoning Commission and accepted by the City Council.
- (e) The amended plat shall be entitled and clearly state that it is an "amended plat," and it shall include a detailed "purpose for amended plat" statement which describes exactly what has been changed on

the plat since the original (or previous) plat was approved by the City and filed at the County. It shall also state the specific lots affected or changed as a result of the amended plat, and shall include the original subdivision plat boundary. All references to "final plat" or "replat" shall be removed.

- (f) The amending plat shall be filed in the County in the same manner as prescribed for a final plat, and approval of an amending plat shall expire if all filing materials are not submitted to the City within 30 days of approval.
- (g) Filing fees.
 - (1) A filing fee as established by the City Council from time to time shall be paid to the City at the time the administrative amended plat is filed with the City Manager.
 - (2) A filing fee as established by the City Council from time to time shall be paid to the City at the time the amending plat is filed with the Planning and Zoning Commission, reduced by any fee paid under paragraphs (g)(1) or subsection 28-48(d).
 - (3) A filing fee established by the City Council from time to time shall also be paid to the City at the time an amending plat of any kind is filed with the City Council.
 - (4) If the plat being amended has been recorded, the additional recordation fee shall also be deposited with the City.

(Ord. No. 52, art. II, § 6, 5-20-1997; Ord. No. 100-52-99, § 20, 3-30-1999; Ord. No. 100-01-12, § 1, 2-27-2012; [Ord. No. O-2019-012](#), § II, 9-23-2019)