

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.2 OF AN ACRE, BEING OUT OF CITY BLOCK 5044 SUBDIVISION, SOUTH PORTION OF LOT A, ADDRESSED AT 215 DITTLINGER STREET, FROM R-2 (SINGLE-FAMILY AND TWO-FAMILY DISTRICT) TO C-O SUP (COMMERCIAL OFFICE DISTRICT WITH SPECIAL USE PERMIT TO ALLOW SHORT TERM RENTAL OF A RESIDENCE); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of the C-O (Commercial Office District), the City Council has given due consideration to all components of said district; and

WHEREAS, the rezoning is in compliance with the Future Land Use Plan; and

WHEREAS, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

WHEREAS, the City Council desires to amend the Zoning Map by changing the zoning of approximately 0.2 of an acre being out of City Block 5044 Subdivision, South portion of Lot A, addressed at 215 Dittlinger Street from R-2 (Single-Family and Two-Family District) to C-O SUP (Commercial Office District with Special Use Permit to allow Short Term Rental of a residence); and

WHEREAS, in keeping with the spirit and objectives of a Special Use Permit, the City Council has given due consideration to all components of said permit; and

WHEREAS, the City recognizes that granting such a permit is possible while promoting the health, safety and general welfare of the public, by providing harmony between existing zoning districts and land uses; and

WHEREAS, it is the intent of the City to ensure for the health, safety and general welfare of the public by providing compatible and orderly development, which may be suitable only in certain locations in a zoning district through the implementation of a Special Use Permit meeting those requirements cited in Sections 3.6-2 and 3.6-3, Chapter 144 of the New Braunfels Code of Ordinances; and

WHEREAS, the property is located in an area suitable for Short Term Rental use; and

WHEREAS, the requested rezoning is in accordance with Envision New Braunfels, the City's Comprehensive Plan; and

WHEREAS, the requested rezoning is in accordance with the City's Strategic Plan; and

WHEREAS, the City Council desires to grant a Special Use Permit at 215 Dittlinger Street, to allow Short Term Rental of a residence in the C-O (Commercial Office District); **now, therefore;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS,

TEXAS:

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by rezoning the following tract of land from from R-2 (Single-Family and Two-Family District) to C-O SUP (Commercial Office District with Special Use Permit to allow Short Term Rental of a residence) District and designating said property with a a "Special Use Permit" to allow Short Term Rental of a residence with conditions herein described:

Approximately 0.2 of an acre, being out of City Block 5044 Subdivision, South portion of Lot A, as described on Exhibit "A" and depicted in Exhibit "B", attached.

SECTION 2

THAT the Special Use Permit be subject to the following additional conditions:

1. The residential character of the property must be maintained.
2. The property will remain in compliance with the approved site plan Exhibit "C" and floor plan Exhibit "D". Any significant changes to the site plan will require a revision to the SUP.

SECTION 3

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 4

THAT if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

SECTION 5

THIS ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this 24th day of November 2025.

PASSED AND APPROVED: Second reading this 8th day of December 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

Exhibit "A"

All that certain tract or parcel of land containing 0.151 of an acre of land out of Lot 1, New City Block 5044, City of New Braunfels, Comal County, Texas and being the same land, as surveyed and found on the ground on April 28, 1998, as that certain parcel described in Volume 586, Page 386 of the Official Public Records of Comal County, Texas; Said 0.151 of an acre parcel being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the intersection of the northeasterly-right-of-way line of E. Dittlinger Street and the southeasterly right-of-way line of S. Washington Avenue for the most westerly corner and POINT OF BEGINNING of this parcel;

THENCE with said right-of-way line of S. Washington Avenue, North 31 deg 00' 00" East (basis of bearings), a distance of 122.52 feet (called North 31 deg East, 123 feet) to a 1/2 inch iron rod found for the most northerly corner of this parcel, same being the most westerly corner of the Spurrier tract described in Volume 877, Page 503 of the Official Public Records of Comal County, Texas;

THENCE leaving said right-of-way line and with the common line of this parcel and said Spurrier tract, South 58 deg 30' 19" East, a distance of 53.19 feet (called South 59 deg East, 54 feet) to a 1/2 inch iron rod found for the most easterly corner of this parcel;

THENCE continuing with the common line of this parcel and said Spurrier tract and the Gutierrez tract described in Volume 378, Page 3 of the Official Public Records of Comal County, Texas, South 30 deg 39' 27" West, a distance of 122.91 feet (called South 31 deg West, 123 feet) to a fence corner found on the aforementioned right-of-way line of E. Dittlinger Street for the most southerly corner of this parcel, same being the most westerly corner of said Gutierrez tract;

THENCE with said right-of-way line, North 58 deg 06' 10" West, a distance of 53.93 feet (called North 59 deg West, 54 feet) to the POINT OF BEGINNING and containing 0.151 of an acre of land.

Exhibit "A"

Filed and Recorded
Official Public Records
Jay Streeter, County Clerk
Comal County, Texas
04/08/2018 04:27:33 PM
LJLW 3 Page(s)
201208012202



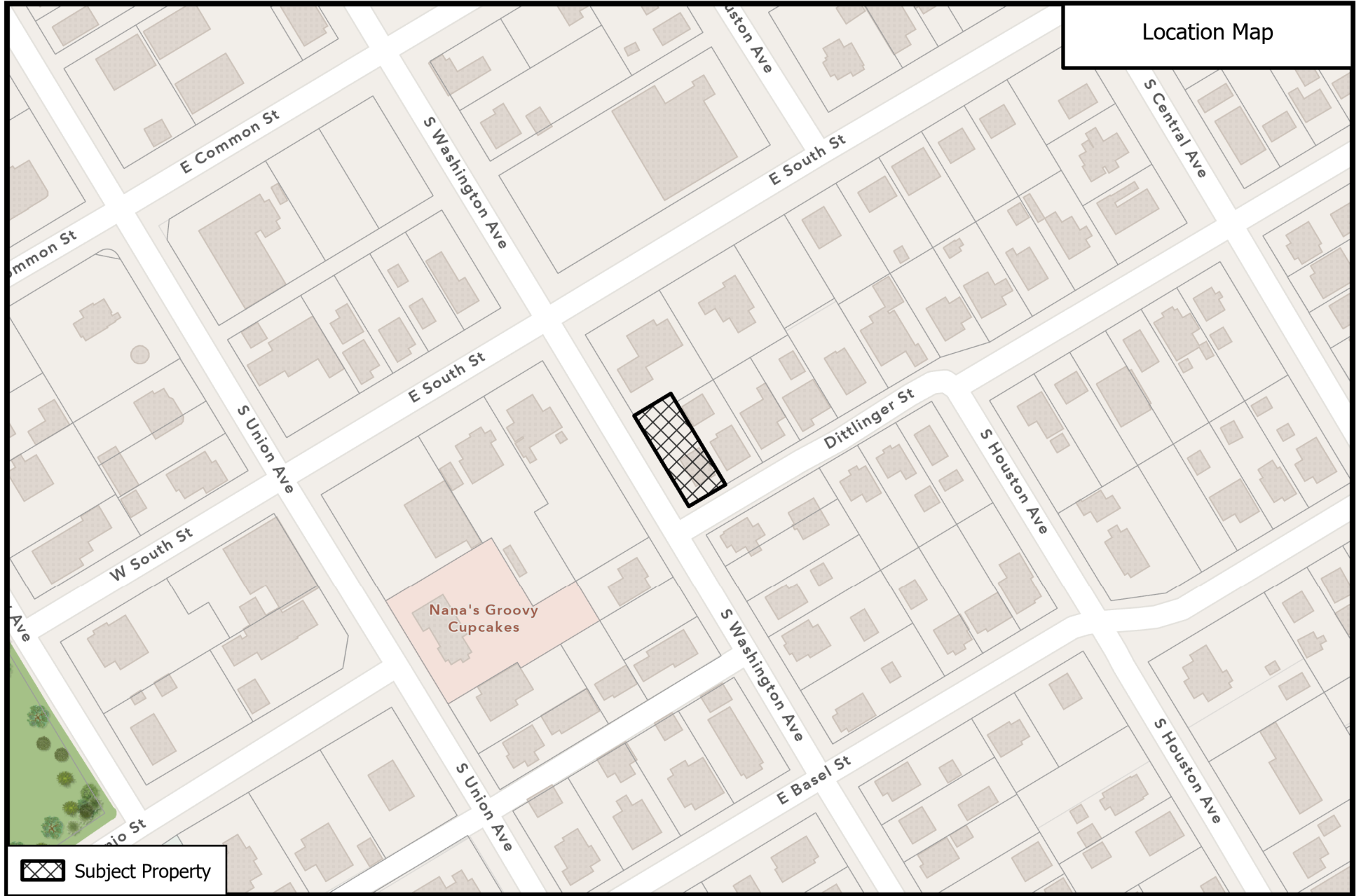
Jay Streeter

Filed and Recorded
Official Public Records
Bobbie Koepf, County Clerk
Comal County, Texas
05/01/2018 02:15:41 PM
CHRISTY 4 Page(s)
201806016805



Bobbie Koepf

Exhibit "B"



SUP25-367 215 Dittlinger St - R-2 to C-O w/ SUP for STR

0 90 180 Feet



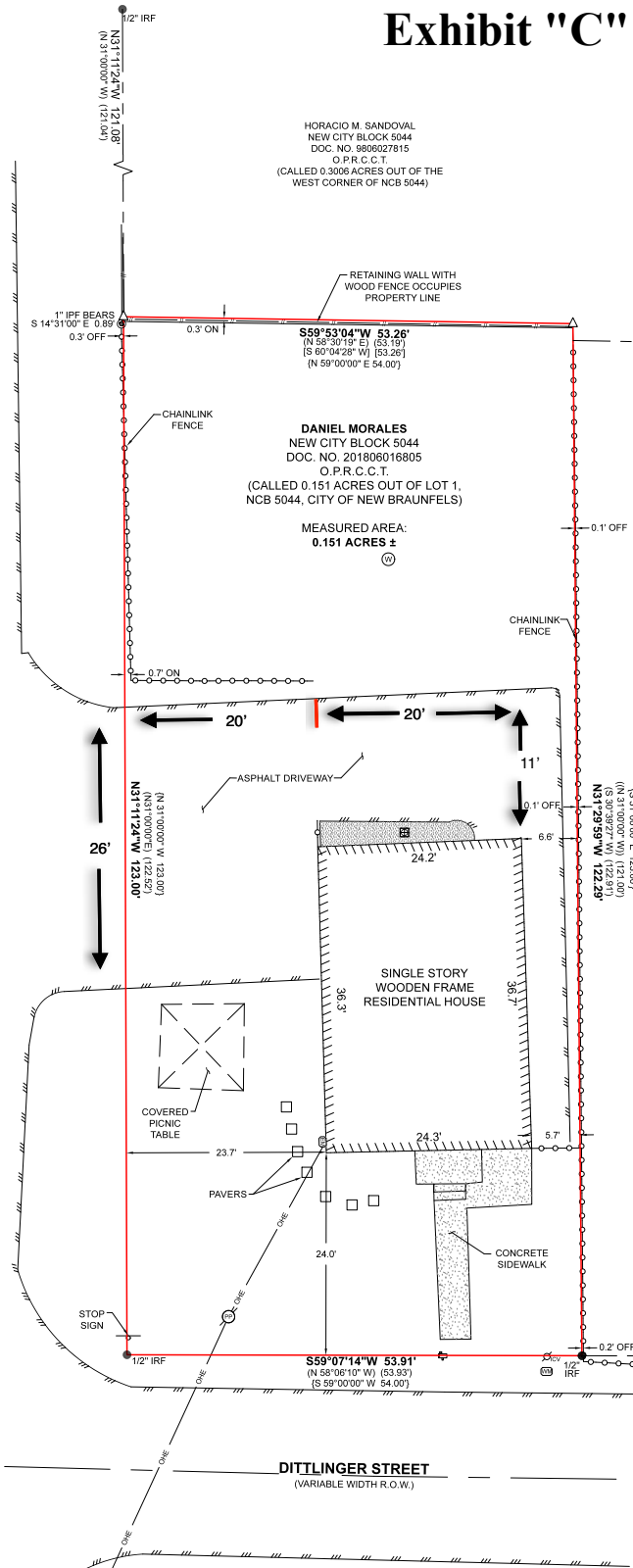
Path: \\chfs-1\Departments\Planning\ZoneChange & SUPs\2025\SUP25-367 - 215 Dittlinger St -

Source: City of New Braunfels Planning
Date: 10/28/2025

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of New Braunfels, its officials or employees for any discrepancies, errors, or variances which may exist.

Exhibit "C"

SOUTH WASHINGTON AVENUE
(60' WIDE R.O.W.)



GENERAL NOTES:

1. BEARINGS ARE BASED ON PROPERTY CORNERS FOUND AND ROTATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, SOUTH CENTRAL ZONE (4204), NAD 1983, GEOID 18. DISTANCES ARE IN U.S. SURVEY FEET (GRID).
2. UNDERGROUND UTILITIES NOT LOCATED OR SHOWN.
3. PROPERTY IS SUBJECT TO ALL APPLICABLE DEVELOPMENT CODES AND ZONING ORDINANCES.
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND THE SURVEYOR DID NOT RESEARCH THE DEED RECORDS.
5. PER WWW.FEMA.GOV, THIS PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN MAP NUMBER 48091C0455G, DATED 5/8/2024.
6. FENCES SHOWN HEREON ARE GRAPHIC ONLY, WITH DIMENSIONAL TIES SHOWN AT SPECIFIC LOCATIONS WHERE THEY WERE PHYSICALLY MEASURED. MEASUREMENTS ARE TO THE INSIDE OF THE FENCE FROM THE SUBJECT PROPERTY. THE FENCE LINE MAY MEANDER BETWEEN MEASURED LOCATIONS.

SURVEYOR'S CERTIFICATION

I, SETH REICHENAU, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF TEXAS, INDICATE TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS PLAN IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION.

THE FIELD WORK WAS COMPLETED ON JULY 15, 2025

Seth Reichenau
SETH REICHENAU
RPLS NO. 6735

FIELD CREW: ALA, ZH
DRAWN BY: ALA

REVISION #:

JULY 24, 2025



AS-BUILT SURVEY 0.151 ACRE TRACT

OUT OF LOT 1, NEW CITY BLOCK 5044,
CITY OF NEW BRAUNFELS, COMAL COUNTY, TEXAS
ADDRESS: 215 DITTLINGER STREET, NEW BRAUNFELS, TX

PREPARED FOR
Daniel Morales

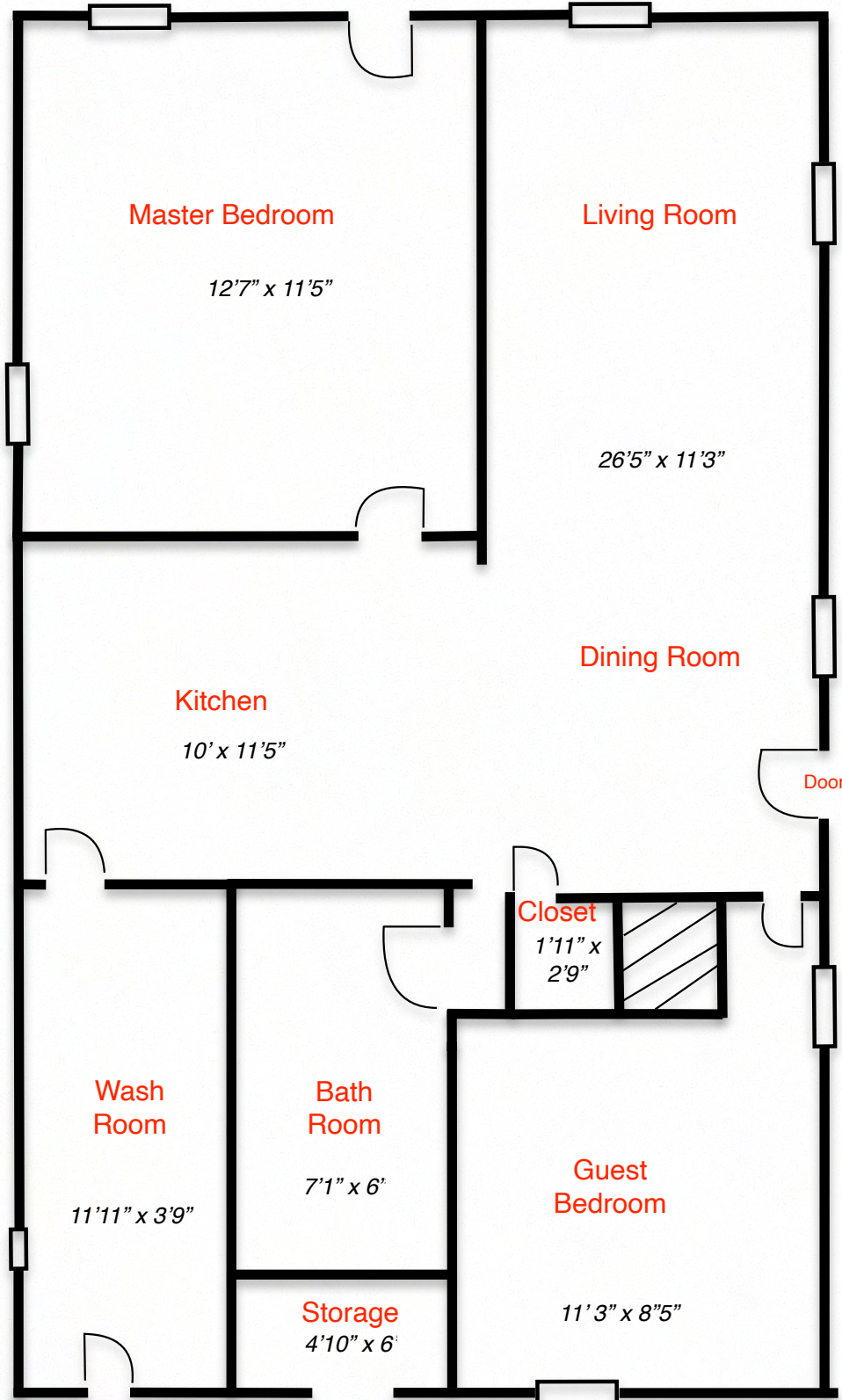
SURVEYOR
DILLO DEV
engineering | surveying | planning
Contact: Seth Reichenau, RPLS
Tel: (830) 282-0333 Email: info@dillodev.com
Address: 967 Broadway, New Braunfels, TX 78130
TX Engineering Firm No. F-22833
TX Surveying Firm No. 10194711 JOB NO. 25095
SHEET 1 OF 1

Daniel Morales,
the property owner, acknowledge that this site plan submitted for the purposes of
rezoning this property is in accordance with all applicable provisions of the
Zoning Ordinance. Additionally, I understand that City Council approval of this
site plan in conjunction with a rezoning case does not relieve me from adherence
to any/all City-adopted Codes/Ordinances at the time of plan submittal for
building permits. Nor does it relieve me from adherence to any/all state or federal
rules and regulations."

Regards,
Daniel Morales,

Exhibit "D"

Dittlinger St.



Washington St.