

CITY OF NEW BRAUNFELS, TEXAS BOARD OF ADJUSTMENT MEETING



CITY HALL - COUNCIL CHAMBERS 550 LANDA STREET

THURSDAY, APRIL 24, 2025 at 6:00 PM

AGENDA

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. APPROVAL OF MINUTES
 - A) Approval of the March 27, 2025 regular meeting minutes. <u>25-481</u>

 March 27, 2025 Minutes

4. INDIVIDUAL ITEMS FOR CONSIDERATION

A) ZB25-0004 Hold a public hearing and consider a request 25-482 for variances from Section 106-14(a) to allow a freestanding monument sign to exceed the maximum allowable sign area, and to encroach into the required minimum setback in the C-1A Neighborhood Business District, located on Lot 1 of the Walnut Hills Subdivision, currently addressed 1417 North Walnut Avenue

Applicant: Executive Signs Enterprises, Inc., Erica Vazquez

Owner: XT Happy Ventures LLC; Xiaohuan Huang

Aerial Map

Application

Applicant Documents

Property Photos

Sign Comparison Table

Notification List, Map, & Responses - 4-17-25 Update

6. ADJOURNMENT

CERTIFICATION

l	hereby	certify	the	above	Notice	of	Meeting	was	posted	on	the	bulletin	board	at	the	New
В	raunfels	City Ha	II.													

Board Liaison

NOTE: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (830) 221-4010 at least two (2) work days prior to the meeting so that appropriate arrangements can be made.



Board of Adjustment Agenda Item Report 4/24/2025

550 Landa Street New Braunfels, TX

Agenda Item No. A)

DRAFT - MINUTES OF THE NEW BRAUNFELS BOARD OF ADJUSTMENT REGULAR MEETING OF THURSDAY, MARCH 27, 2025

1. CALL TO ORDER

Vice-Chair Mund called the meeting to order at 6:22pm.

2. ROLL CALL

The following Board Members were present: Bobby Avary, Jenny Jaeckle, Angela Ranft, and Brandon Mund.

3. APPROVAL OF MINUTES

A) Approval of the February 27, 2025 regular meeting minutes.

Motion by Member Avary, seconded by Member Jaeckle to approve the February 27, 2025 regular meeting minutes. Motion carried unanimously.

4. INDIVIDUAL ITEMS FOR CONSIDERATION

A) ZB25-0002 Hold a public hearing and consider a request for a variance to Sec. 144-5.1-1 (e)(1) to allow a residential off-street parking facility (residential driveway) to be constructed of similar material as the existing residential parking facility (residential driveway) to include crushed stone in the Landa Park Estates Subdivision, Block 2, Lot 5, in the R-2 (Single-Family and Two-Family District), addressed at 598 W. Edgewater Terrace.

Mary Lovell presented the aforementioned item.

Vice-Chair Mund asked if there were any questions for staff.

Discussion followed on alternative options available to the property owner, and how the City's current development standards for driveways compare to those proposed as part of the proposed Land Development Ordinance (LDO).

Vice-Chair Mund invited the applicant to speak on the item.

Jeanne Pfeffer elaborated on the request discussing the proposed driveway material, the intent of the request, an existing pecan tree on the property, and support from neighboring property owners.

Discussion followed on the proposed driveway material, the property's hardship, the impact a paved driveway could have on the health of the trees existing on the property, and construction methods for the proposed driveway.

Vice-Chair Mund opened the public hearing and asked if anyone would like to speak on the item.

The following individual spoke in favor of the item: Dale Dibello.

Vice-Chair Mund closed the public hearing.

Vice-Chair Mund if there were any further discussion or motion.

Motion by Member Jaekle, seconded by Member Avary, to approve the item as presented. Motion carried unanimously.

6. ADJOURNMENT

There being no further business Vice-Chair Mund adjourned the meeting at 6:38pm.

	Ву:	
	,	BOARD CHAIR
Attest:		
BOARD LIAISON		



Board of Adjustment Agenda Item Report

550 Landa Street New Braunfels, TX

4/24/2025

Agenda Item No. A)

PRESENTER:

Applicant: Executive Signs Enterprises, Inc., Erica Vazquez

Owner: XT Happy Ventures LLC; Xiaohuan Huang

SUBJECT:

ZB25-0004 Hold a public hearing and consider a request for variances from Section 106-14(a) to allow a freestanding monument sign to exceed the maximum allowable sign area, and to encroach into the required minimum setback in the C-1A Neighborhood Business District, located on Lot 1 of the Walnut Hills Subdivision, currently addressed 1417 North Walnut Avenue

BACKGROUND RATIONAL:

Case #: ZB25-0004

Applicant: Executive Signs Enterprises, Inc.

Erica Vazquez

5621 Central Texas Drive

San Marcos, TX 78666

(512) 292 - 9939 D permits@executivesigns.com

Staff Contact: Colton Barker, Assistant Planner

(830) 221 - 4274 ∋ CBarker@newbraunfels.gov

The subject property is located on the southwest side of North Walnut Avenue and is approximately 0.27 acres in area. The property was rezoned from R-2 Single-Family and Two-Family District to C-1A Neighborhood Business District in 2023 (Ordinance 2023-80). The existing structure on the property was originally constructed in 1950 as a residential home and was renovated in 2024 to meet commercial building safety standards. The property is currently being utilized as a State Farm Insurance Agent Office. There are no permanent freestanding signs currently located on the property.

The applicant, Executive Signs Enterprises, Inc., is requesting variances from Sec. 106-14(a) to allow one freestanding monument sign to encroach 9-feet into the required 10-foot setback and to exceed the maximum allowable overall sign area of 32-sqft by 16.92-sqft.

New Braunfels' Sign Ordinance allows sign types and sizes based upon the zoning district and specific street frontage. The property's existing C-1A zoning allows for alternatives to the proposed freestanding monument sign - listed below and in the attached comparison chart.

The existing C-1A zoning of the subject property allows the following freestanding signage options:

- 1 Freestanding Monument Sign
 - o Max area 32-square-feet, max height 8-feet, min setback 10-feet **OR**;
- 1 Low Profile Pole Sign
 - o Max area 20-square-feet, max height 6-feet, min setback 10-feet

The proposed freestanding monument sign:

- Overall sign area of 46.67 square-feet, and
 - This measurement is inclusive of the entire sign structure as required for monument signs under the City's current sign code Chapter 106-15(1)(D).
- Overall sign height of 6-feet, and
- Setback of approximately 1-foot from the property line, and
- No other permanent freestanding signage exists or is proposed on property.

Section 2.2-2(a) of the Zoning Ordinance states the BOA may authorize a variance from the sign regulations only upon finding all of the following facts:

- 1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Chapter would deprive the applicant of the reasonable use of land; (The applicant states "The property is unique in that it is elevated in the right of way by a retaining wall. Set back behind adjacent landscaping beyond the property line, which in this case is not necessary, and will impede the publics ability to read this short monument sign. Since this lot has no easements across it, there is no reason to set the monument farther back against the building. This will allow it to read easier from both directions and be an effective advertising tool for the business owner." Staff confirms that there are no platted easements located on the subject property, however freestanding signage proposed within the C-1A Neighborhood Business District is required to be setback a minimum of 10-feet from the property line.) and
- 2) That the sign variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; (The applicant states "Setting this monument sign further back against the building is not necessary since the right of way is wider in front of this property. Setting this monument sign back one foot behind the property line will still place it further behind the sidewalk than other lots have their signs placed on this stretch of Walnut Avenue." Staff notes there is approximately 16-feet of public right-of-way between the property line and the street edge. At the proposed location the monument sign would be setback 1-foot from the property line and 17-feet from the street edge.) and
- 3) That the granting of the sign variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area; (The applicant states "Granting this variance will not impact any of the surrounding properties in any way nor will it have any impact on public safety.") and
- 4) Granting of the variance will not have the effect of preventing the orderly use of other land within the area in accordance with the provisions of this Chapter; (The applicant states "Granting this variance will have no impact on surrounding properties.") and
- 5) That an undue hardship exists; (The applicant states "Because of the topography mentioned above and the existing trees and landscaping along the adjacent property lines, setting the monument further back blocks its viewing angles. Setting it one foot behind the property line helps eliminate this and improves readability in this scaling." Staff notes that Walnut Ave is classified as a principal arterial roadway and the existing Right-of-Way (ROW) at this portion of Walnut Ave is approximately 100-feet in width.) and
- 6) That the granting of a variance will be in harmony with the spirit and purpose of these regulations. (The applicant states "The placement of this monument as requested is in keeping with proper spacing and

placement along this roadway. It will allow for the sign to read as well as for the current adjacent landscaping to be maintained. It will also allow it to be installed without forcing it back against the structure allowing for easier maintenance." Staff notes the monument sign is proposed to be located be approximately 7-feet 10-inches from the building and 17-feet from the street edge.)

Per Section 2.2-2 of the Zoning Ordinance, a variance shall not be granted to relieve a self-created or personal hardship, nor based solely on economic gain or loss, nor shall it permit any person the privilege in developing a parcel of land not permitted by Chapter 144 to other parcels of land in the particular zoning district. No variance may be granted which results in undue hardship upon another parcel of land.

Draft Land Development Ordinance (LDO) Review:

Staff reviewed the Draft Land Development Ordinance to determine if the draft proposes alternate methods for sign area calculation and/or reduced setback requirements for monument signs. The draft LDO does not require the base of monument signs to be included in sign area calculations, but does still require a minimum 5-foot setback for monument signs, as can be seen in the following draft sections:

Article 7: Signs, 7.4.1 Sign Area, C Methods of Measuring Sign Area, 1.b. Area calculation does not include the base of a monument sign, or any decorative rocks or landscaping surrounding the sign base.

Article 7: Signs, 7.3.9 Monument Sign, A Dimensional Standards, Table 7-6: The smallest required setback for monument signs is 5-feet across all districts. Under the proposed LDO draft the property would be allowed 1 monument sign / 300 linear feet of street frontage, at a maximum sign area of 48-square-feet, maximum overall height of 10-feet, and a minimum setback of 5-feet from the property line.

GENERAL INFORMATION:

Size:

Lot area: 0.277 acres

Lot depth: approximately 126 feet

Lot width: 99.51 feet

Variance Request Due to Notice of Violation:

No.

Surrounding Zoning and Land Use:

North - Across N Walnut Ave, R-2 and C-1 / Residential low-density and Commercial

South - R-2 / Residential low-density

East - R-2 / Residential low-density

West - C-1A and C-1 / Commercial

Notification

Public hearing notices were sent to 9 owners of property within 200 feet of the subject property. To date, staff has received one response in favor of the request.

RESOURCE LINKS:

• Chapter 106 Sign Ordinance, Sec 106-8 Variance and Appeal:

https://library.municode.com/tx/new braunfels/codes/code of ordinances?

- Chapter 106 Sign Ordinance, Sec 106-14(a) Sign Dimensional Standards: https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?
 - Chapter 106 Sign Ordinance, Sec 106-14(b) Design Requirements: https://library.municode.com/tx/new-braunfels/codes/code-of-ordinances?
 - Chapter 106 Sign Ordinance, Sec 106-15 Principals of Sign Area Computation: https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?





ZB25-0004 1417 N Walnut Ave - Sign Variance



Planning & Development Services Department

Public Hearing Signs (\$15 per sign)

550 Landa Street New Braunfels, Texas 78130 (830) 221-4041 www.

www.newbraunfels.gov

Sign Variance Application (Board of Adjustment - BOA)

Any application that is missing information will be considered incomplete and will not be processed.

The applicant bears the burden of proof in establishing the facts that may justify a sign variance, a special exception, an appeal, or any other action in his/her favor by the BOA.

1	Name of Applicant/Agent:	Executive Signs	Executive Signs Enterprises, Inc.						
2	Subject Property Address:	1417 N Walnut	1417 N Walnut Ave - New Braunfels, TX 78130						
3	Legal Description of Subject Property	Lot Number 1	Block Number	Subdivision	Walnut Hills				
4	Present Use of Property	Insurance Office			C-1A				
5	Describe Sign Variance Request(s)	We need a 4' varian	ce to property line set	back requiremen	nt - unique lot				
_									
	uired Attachments:								
Š	₩.		Attachment						
	NAM	E DIGITAL DOCUMENT FILES	AS THE ARE LISTED IN BO	LD BELOW					
		Submit digital copies (.pdf) of application and all required attachments to planning@newbraunfels.gov or provide the application and attachments on a USB drive							
	Application (completed and	signed by applicant)							
	✓ Deed showing current owners	ship							
	Letter of Authorization (if an	agent is acting on behalf of	the property owner)						
	Site Plan drawn to scale, sho	wing all existing and propos	ed improvements with dime	ensions					
	Elevation Drawings of propo								
		. <u></u>							
	uired Fees:	ta 1 - 2 - 3 - 3/-			Time Volume				
App	lication Fees	A NUMBER OF STREET		WE EST RITHE					
	Application Fee \$700								
	Each Additional Sign Variance	e \$50							
Гес	hnology Fee	The Landing Control	21 21 7 1 7						
	3% technology fee applied to	total application fee							
Pub	lic Hearing Notice Fees			SINTON THE					
	Please Note: Public hearing contacted with your fee total.	mail notification fees are inv	oiced at a later date than	when the application	n is submitted. You will b				
	Public Hearing Mailed Notice	c (\$2.15 per mailed notice)							

BOA	Criteria	for	Approval	of a	a Sign	Variance
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In order for the Board of Adjustment to grant a sign variance, the applicant must prove that the 6 required criteria below have been met. You will be asked to describe your property's unique circumstances based on the below criteria in the questions. Please answer the following questions to establish how the criteria to approve a sign variance is met. The answers provided will be reported to the Board of Adjustment with staff comments. You may use additional pages if necessary.

	What are the special circumstances or conditions affecting the land that warrant the sign variance? A special circumstance must be a condition or issue of the land that is unique to the subject property and is not a circumstance that is shared by other properties. Sign variances are granted to property that has special circumstances that are so unique they are not reasonably considered within the development standards of the ordinance; circumstances that are shared by multiple properties are considered in the ordinance regulations to ensure orderly development.
e pr	operty is unique in that it is elevated in the right of way by a retaining wall. Set back behind adjacent landscapin

The property is unique in that it is elevated in the right of way by a retaining wall. Set back behind adjacent landscaping beyond the property line - which in this case is not necessary - will impede the publics ability to read this short monument sign. Since this lot has no easements across it - there is no reason to set the monument farther back against the building. This will allow it to read easier from both directions - and be an effective advertising tool tor the business owner.

2. Why is the sign variance necessary to preserve a substantial property right of the applicant? A substantial property right is the ability to use the land as its zoning intended. Property owners in residential zoning districts have a substantial property right to use and enjoy their property for dwelling. Please note that not all improvements intended for the enjoyment of a property are protected as substantial property rights. The reasonable use of the land can include, but is not limited to, adequate living space, open yard area, access to light and air, and so on.

Setting this monument sign further back against the building is not necessary - since the right of way is wider in front of this property. Setting this monumnet sign back one foot behind the property will still place it futther behind the sidewalk than other lots have their signs placed on this stretch of Walnut

3. Will the granting of the sign variance be detrimental to the public health, safety or welfare, or injurious to other properties within the surrounding area?

A variance that is detrimental to public health, safety or welfare, or injurious to property within the area may not be granted. A variance may not be granted if it deprives another property owner of the use or enjoyment of their property. A variance may not be granted if it will create an unsafe condition, such as a variance to allow construction that limits visibility for drivers.

Granting this variance will not impact any of the surrounding properties in any way - nor will it have any impact on . public safety.

4.	A sign variance cannot be granted if it will prevent another property from complying with a regulation or ordinance.
G	ranting this variance will have no impact on surrounding properties .
× 10	
5.	Does an undue hardship to the land exist that is not self-created, personal or financial? An undue hardship is a hardship of the land itself. The hardship cannot be personal. Examples of what is an undue hardship: topography, lot configuration and size, the location of heritage trees on a lot, and so on. Examples of what is not an undue hardship: financial constraints, personal preferences, aesthetic choices. Hardships may not be self-created by the applicant. A self-created hardship can include performing construction work without city approval or permitting.
Be	cause of the topography mentioned above -and the existing trees and landscaping along the adjacent property
	nes - setting the monument further back - blocks its viewing angles. Setting it one foot behind the property line elps eliminate this and improves readability in this scaling.
6.	Will granting the sign variance be in harmony with the spirit and purpose of the City's regulations? The purpose of the zoning ordinance is to ensure adopted development standards promote the health, safety, and the general welfare of the public. Development standards have been established with reasonable consideration for the character of the zoning districts and impacts created by various land uses. Variances may not conflict the intent of the zoning ordinance regulations or the goals of the Comprehensive Plan.
Th	ne placement of this monument as requested - is in keeping with proper spacing and placement along this
	padway. It will allow for the sign to read as well as for the current adjacent landscaping to be maintained
	t will also allow it to be installed without forcing it back against the structure allowing for easier maintenance.

Applicant Contact Information:

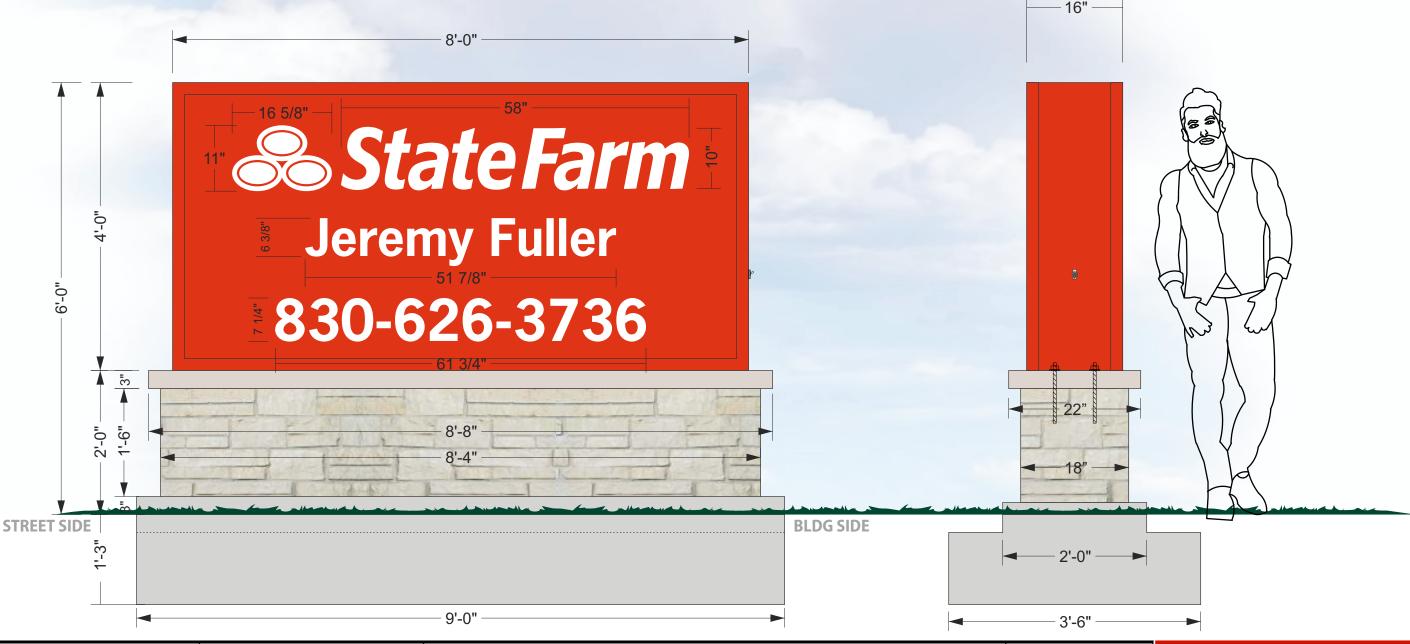
icant Name	Erica Vazquez	Date	3/27/2025
ail	permits@executivesigns.com	Phone #	512-292-9939
ing Address (City, State, Zip)	5621 Central Texas Drive San Marcos, TX 78666		
ail	permits@executivesigns.com		
ase read and initial the following	g important reminders:		
Appearance at Meeting It is strongly advised that which the applicant or ar	t the applicant be represented at the hearing. The Board	d may deny re	qı

The applicant shall post the public hearing notification sign(s) at least 15 days prior to the hearing date and maintain said sign(s) in good condition. One sign shall be required for the first 100 feet of frontage of the tract, and one additional sign for every 200 feet of frontage thereafter, or fraction thereof, except that no more than three (3) signs shall be required on each roadway frontage. If the tract has less than 200 feet of frontage per roadway, then only one sign is required per road.

<u>Please Note:</u> Your signature indicates that the owner or an authorized agent has reviewed the requirements of this application and attached checklist, and all items on this checklist have been addressed and complied with. The owner/authorized agent understands that an incomplete application will not be accepted.

	100-00		ababox
Applicant Signature	MANUEXC	Man Date	0 C1 C0 CV
Applicant Name (Printed)	Erica Vazquez		
-			

MANUFACTURE & INSTALL ONE (1) NEW DOUBLE SIDED CABINET WITH ALUMINUM SQ. TUBE FRAMING PAINTED TO MATCH 3630-33 RED 2" RETAINERS PAINTED TO MATCH 3630-33 RED WHITE ACRYLIC TENANT FACES W/ FIRST SURFACE VECTOR CUT TRANSLUCENT VINYL INTERNALLY ILLUMINATED WITH HIGH OUTPUT WHITE LED 3" CAST STONE CAP TO MATCH BASE CMU BLOCK BASE W/TEXAS MIX CHOP LIMESTONE VENEER 8" & DOWN **CONCRETE MOW PAD & FOOTER**



Date: 03/05/25

Sales: TAT

Designer: MG



5621 Central Texas Dr. San Marcos, TX 78666 Office: 210-492-9436

State License TSCL#18330 PO Box 12157, Austin, Tx. 78711, 1-800-803-9202, 512-463-6599

3. Three wires: Line, Ground, Neutral

Client: State Farm

Address: 1417 N Walnut Ave. **New Braunfels, TX**

Path: x/ESSM/State Farm/

File: State Farm - 1417 N Walnut Sign Pkg Final

Color Schedule:

TRANSPARENT VINYL: 3M 3630-033 TRANS RED SER



Customer Signature:

This is an original drawing created by Executive Signs Inc. It is submitted for your personal use, however, it shall at all times remain the property of Executive Signs Ent. You are not authorized to show these drawings to anyone outside your organization, nor is it to be reproduced, used, copied or exhibited in any fashion.

Scale: 1:16

15 Page: 1

Date:



Date: **03/05/25**

Sales: TAT

Designer: MG



5621 Central Texas Dr. San Marcos, TX 78666 Office: 210-492-9436

State License TSCL#18330

Regulated by the Texas Department of Licensing and Regulation PO Box 12157, Austin, Tx. 78711, 1-800-803-9202, 512-463-6599



Sign Company DOES NOT provide primary electrical to sign. Power to the sign must be done by a licensed electrical contr Each sign must have:

1. A minimum of one dedicated 120V 20A Circuit
2. Junction box installed within 6 feet of sign
3. Three wires: Line, Ground, Neutral

Client: State Farm

Address: 1417 N Walnut Ave. **New Braunfels, TX**

Path: x/ESSM/State Farm/

File: State Farm - 1417 N Walnut Sign Pkg Final

Color Schedule:

TRANSPARENT VINYL: 3M 3630-033 TRANS RED SERIE



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16

Page: 3

Date:

APPROXIMATE MONUMENT LOCATION



Date: 09/25/24

Sales: TAT

Designer: MG



5621 Central Texas Dr. San Marcos, TX 78666 Office: 210-492-9436

State License TSCL#18330

Regulated by the Texas Department of Licensing and Regulation PO Box 12157, Austin, Tx. 78711, 1-800-803-9202, 512-463-6599



Client: State Farm

Address: 1417 N Walnut Ave. New Braunfels, TX

Path: x/ESSM/State Farm/

File: State Farm - 1417 N Walnut Sign Pkg

Color Schedule:

TRANSPARENT VINYL:
3M 3630-033 TRANS RED SERIE



Customer Signature:

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Scale: 1:380

17 Page: 4

Date:

APPROXIMATE MONUMENT LOCATION





5621 Central Texas Dr. San Marcos, TX 78666 Office: 210-492-9436

State License TSCL#18330

Regulated by the Texas Department of Licensing and Regulation PO Box 12157, Austin, Tx. 78711, 1-800-803-9202, 512-463-6599



Client: State Farm

Address: 1417 N Walnut Ave. New Braunfels, TX

Path: x/ESSM/State Farm/

File: State Farm - 1417 N Walnut Sign Pkg

Color Schedule:

TRANSPARENT VINYL: 3M 3630-033 TRANS RED SERI Sales: TAT

Date: 09/25/24

Designer: MG



Customer Signature:

Date:

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Scale: 1:380

18 Page: 5



Subject Property Frontage Along N Walnut Ave Facing Southwest



Subject Property Frontage Along N Walnut Ave
Facing Southeast





Subject Property Frontage Along N Walnut Ave
Facing South

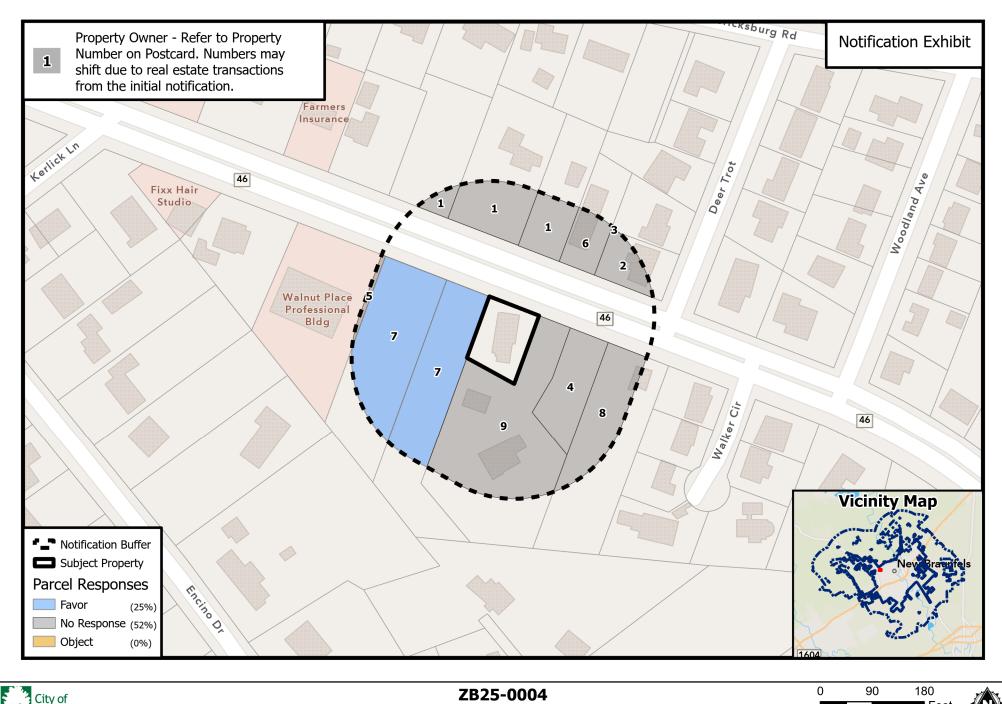


Subject Property Frontage Along N Walnut Ave
Facing Southeast



	Allowed by <u>C-1A N</u> <u>Business D</u>	Proposed Sign Variance		
Sign Type	Freestanding Monument Sign	Low-Profile Pole Sign	Proposed Freestanding Monument Sign	
Maximum Sign Area	32 sqft.	20 sqft.	~ 46.67 sqft. (Entire Structure) 32 sqft. (Sign Face Only)	
Maximum Height	8 ft.	6 ft.	6 ft.	
Minimum Setback	10 ft.	10 ft.	1 ft.	
Maximum Signs per Lot	1	1	1	

Sign Variance - ZB25-0004
Sign Allowance Comparison Table





1417 N Walnut Ave - Sign Variance

90 180
Feet



BOARD OF ADJUSTMENT - April 24, 2025 - 6:00PM

City Hall Council Chambers

Applicant: Executive Signs Enterprises, Inc.; Erica Vazquez

Address/Location: 1417 N Walnut Ave

SIGN VARIANCE REQUEST - CASE # ZB25-0004

The numbers on the map correspond to the property owners listed below. All information is from the Appraisal District Records. The property under consideration is marked as "Subject Property".

1. MIMS SAMUEL S & MARY C

2. HOANG NAM & CAM LE

- 3. THELEN MICHAEL W
- 4. STORRS CHRISTOPHER
- 5. SHIPP LAKE HOLDINGS LLC

- 6. GRIFFIN GLENN H JR
- 7. STRATA TRUST COMPANY
- 8. SKOV FAMILY TRUST
- 9. STORRS MONTE & YVONNE

SEE MAP

STRATA TRUST COMPANY 10220 HIGH DRIVE

NEW BRAUNFELS TX 78132

Property #: 7

ZB25-0004 Case Manager: CB

FAVOR



OPPOSE __