

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.25 ACRES OUT OF THE MISSION OAKS UNIT 5 SUBDIVISION, BLOCK 14, LOT 11, CURRENTLY ADDRESSED AT 13 & 15 MOSS ROCK DRIVE, FROM R-3 (MULTIFAMILY DISTRICT) TO R-3 SUP (MULTIFAMILY DISTRICT WITH A SPECIAL USE PERMIT FOR SHORT TERM RENTAL), 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 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 13 & 15 Moss Rock Drive, to allow short term rental of a duplex in the R-3 (Multifamily 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 adding the following tract of land as a "Special Use Permit" for the uses and conditions herein described:

Being 0.25 acres out of the Mission Oaks Unit 5 Subdivision, Block 14, Lot 11, being as delineated on Exhibit "A" and depicted on 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 28th day of July, 2025.

PASSED AND APPROVED: Second reading this 11th day of August, 2025

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

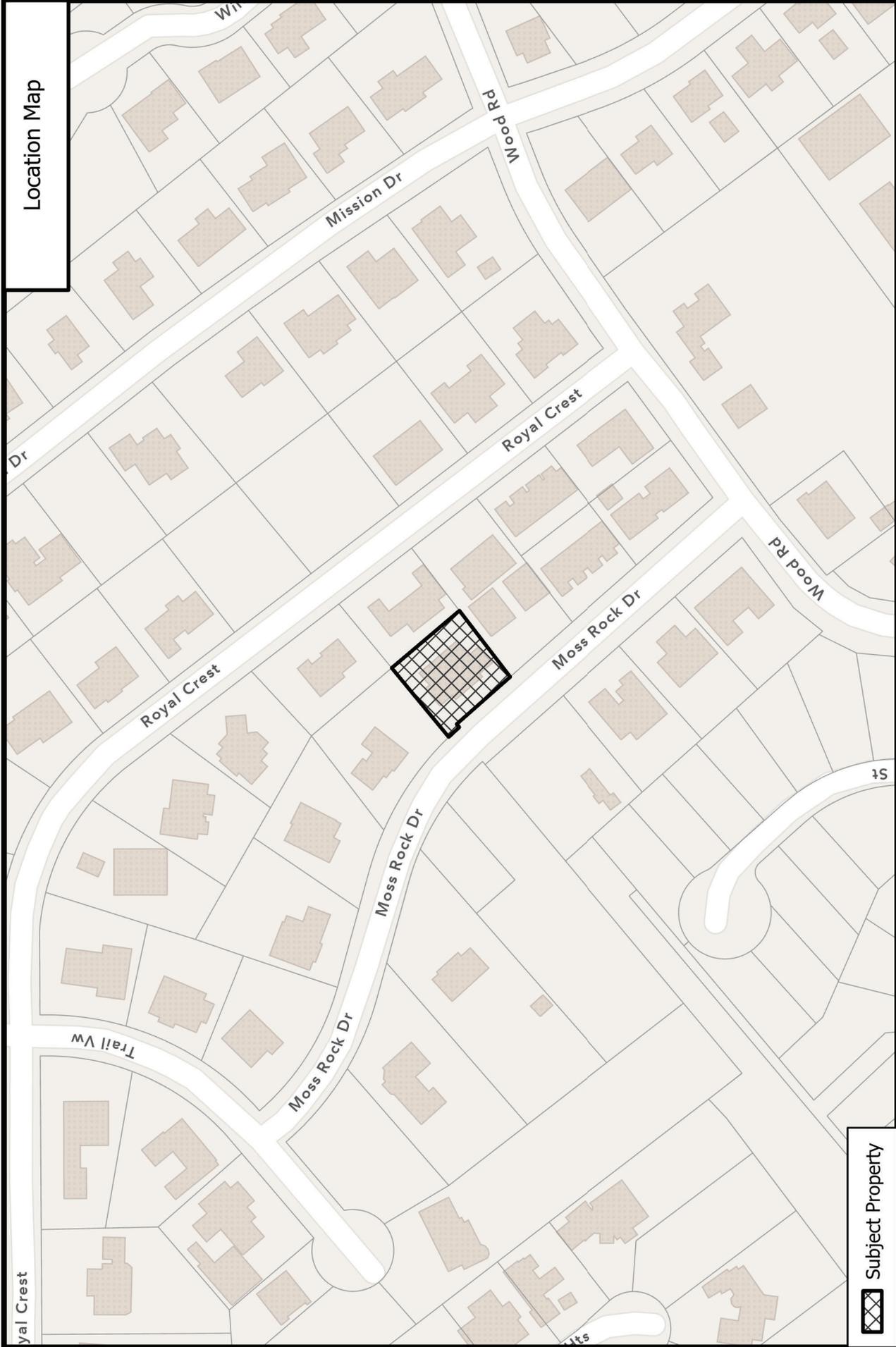
ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"



Location Map

Subject Property

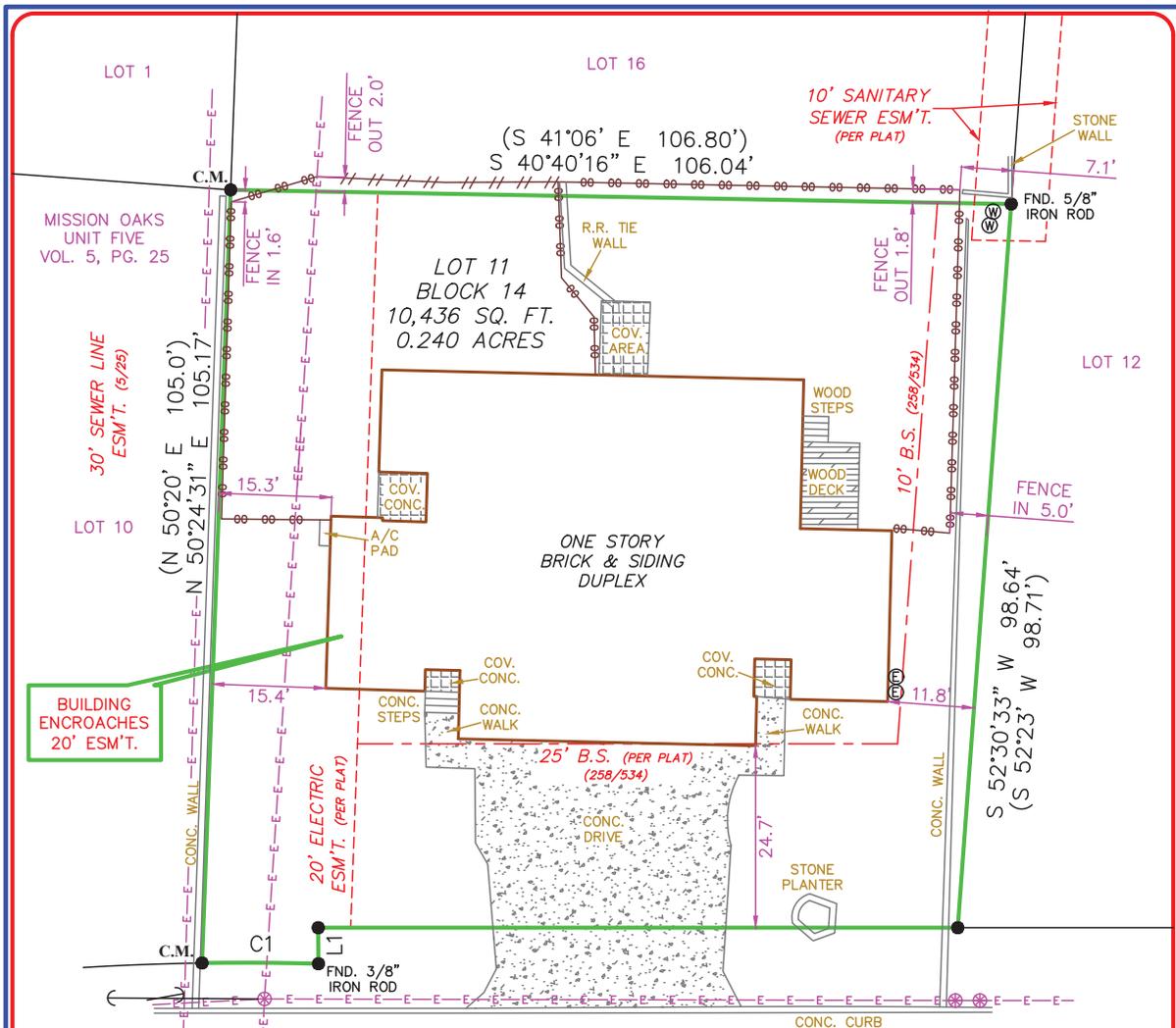


SUP25-088
SUP for STR



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.

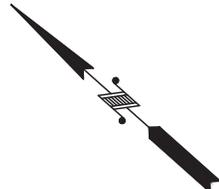
EXHIBIT "B"



NOTE:
BEARINGS SHOWN HEREON ARE BASED ON ACTUAL GPS OBSERVATIONS, TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE, GRID.

NOTE:
THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS, AND/OR SETBACK LINES (IF ANY) AS FOLLOWS: VOLUME 225, PAGE 843, VOLUME 258, PAGE 534, VOLUME 259, PAGE 43, VOLUME 259, PAGE 846, AND VOLUME 265, PAGE 719, DEED RECORDS, COMAL COUNTY, TEXAS.

MOSS ROCK DRIVE
(60' R.O.W.)



SCALE: 1"=20'

THIS SURVEY IS ACKNOWLEDGED AND IS ACCEPTED:

LINE	BEARING	DISTANCE
L1	S 47°56'47" W	4.90'
	(S 48°07' W)	(5.0')

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	364.41'	15.82' (16.0')	15.81'	N 41°20'51" W	02°29'12"

FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 48091C, Panel No. 0435G, which is Dated 05/08/2024. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) X. Because this is a boundary survey, the survey did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <https://msc.fema.gov/portal>.



Property Address:

13 MOSS ROCK DRIVE

Property Description:

LOT 11, BLOCK 14, VACATING AND RESUBDIVISION PLAT OF A PORTION OF MISSION OAKS SUBDIVISION, UNIT FIVE, SITUATED IN THE CITY OF NEW BRAUNFELS, COMAL COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 5, PAGE 192, MAP AND PLAT RECORDS, COMAL COUNTY, TEXAS.

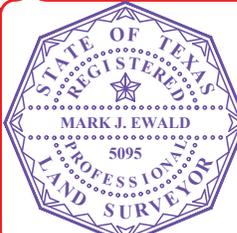
Owner:

BEATA ANGELIKA NICKEL MD, PhD

FIRM REGISTRATION NO. 10111700

Westar Alamo
LAND SURVEYORS, L.L.C.
P.O. BOX 1645 BOERNE, TEXAS 78006
PHONE (210) 372-9500 FAX (210) 372-9999

- LEGEND**
- = FOUND 1/2" IRON ROD
 - () = RECORD INFORMATION
 - B.S. = BUILDING SETBACK
 - C.M. = CONTROLLING MONUMENT
 - ⊕ = POWER POLE
 - ⊕ = OVERHEAD ELECTRIC
 - ⊕ = ELECTRIC METER
 - ⊕ = WATER METER
 - ⊕ = CHAIN LINK FENCE
 - ⊕ = WOOD FENCE
 - ⊕ = GUY WIRE



I, MARK J. EWALD, Registered Professional Land Surveyor, State of Texas, certify that the above plat represents an actual survey made on the ground under my supervision, and that my professional opinion is that there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, except as may appear herein, to the best of my knowledge and belief.

Mark J. Ewald
MARK J. EWALD

Registered Professional Land Surveyor
Texas Registration No. 5095

DWG: AMS RVD: CC

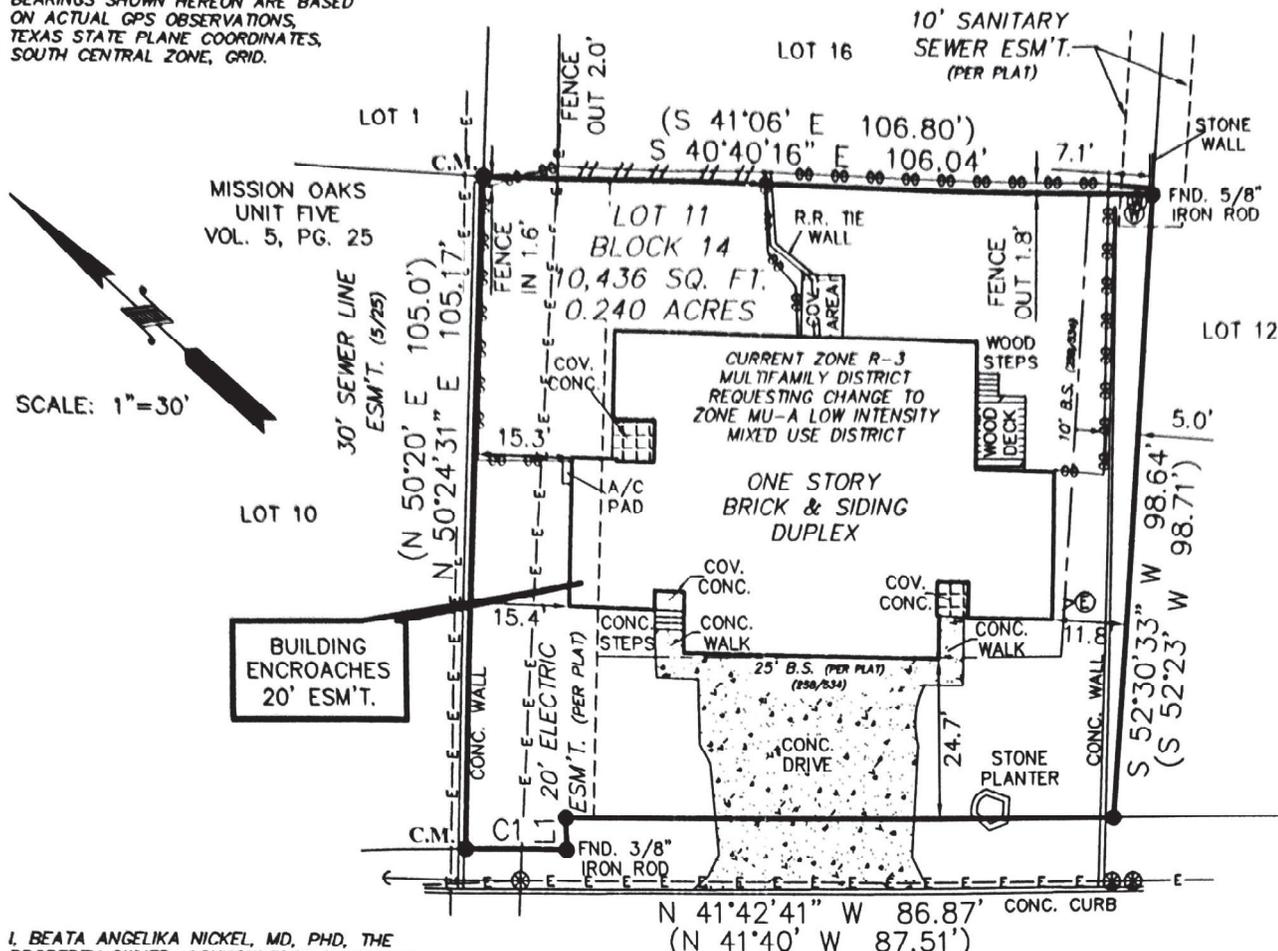
EXHIBIT "C"

NOTE:
THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS, AND/OR SETBACK LINES (IF ANY) AS FOLLOWS: VOLUME 225, PAGE 843, VOLUME 258, PAGE 534, VOLUME 259, PAGE 43, VOLUME 259, PAGE 846, AND VOLUME 265, PAGE 719, DEED RECORDS, COMAL COUNTY, TEXAS.

NOTE:
BEARINGS SHOWN HEREON ARE BASED ON ACTUAL GPS OBSERVATIONS, TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE, GRID.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	364.41	15.82 (16.0)	15.81	N 41°20'51" W	02°29'12"

LINE	BEARING	DISTANCE
L1	S 47°56'47" W	4.90'
	(S 48°07' W)	(5.0')



SCALE: 1"=30'

I, BEATA ANGELIKA NICKEL, MD, PHD, 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 OF FEDERAL RULES AND REGULATIONS

[Signature]

MOSS ROCK DRIVE
(60' R.O.W.)

DRAWN BY: CS
JOB #:129640
SURVEY DATE: 10/7/2024

LOT 11, BLOCK 14, VACATING AND RESUBDIVISION PLAT OF A PORTION OF MISSION OAKS SUBDIVISION, UNIT FIVE, SITUATED IN THE CITY OF NEW BRAUNFELS, COMAL COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 5, PAGE 192, MAP AND PLAT RECORDS, COMAL COUNTY, TEXAS.

LEGEND

- - FOUND 1/2" IRON ROD
- () - RECORD INFORMATION
- B.S. - BUILDING SETBACK
- C.M. - CONTROLLING MONUMENT
- ⊕ - POWER POLE
- E— - OVERHEAD ELECTRIC
- ⊖ - ELECTRIC METER
- ⊙ - WATER METER
- - CHAIN LINK FENCE
- #— - WOOD FENCE
- ← - GUY WIRE

FIRM REGISTRATION NO. 10111700

Westar Alamo
LAND SURVEYORS, LLC.
P.O. BOX 1645 BOERNE, TEXAS 78006
PHONE (210) 372-9500 FAX (210) 372-9999



I, MARK J. EWALD, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual ZONING survey made on the ground under my supervision.

[Signature]
MARK J. EWALD
Registered Professional Land Surveyor
Texas Registration No. 5095

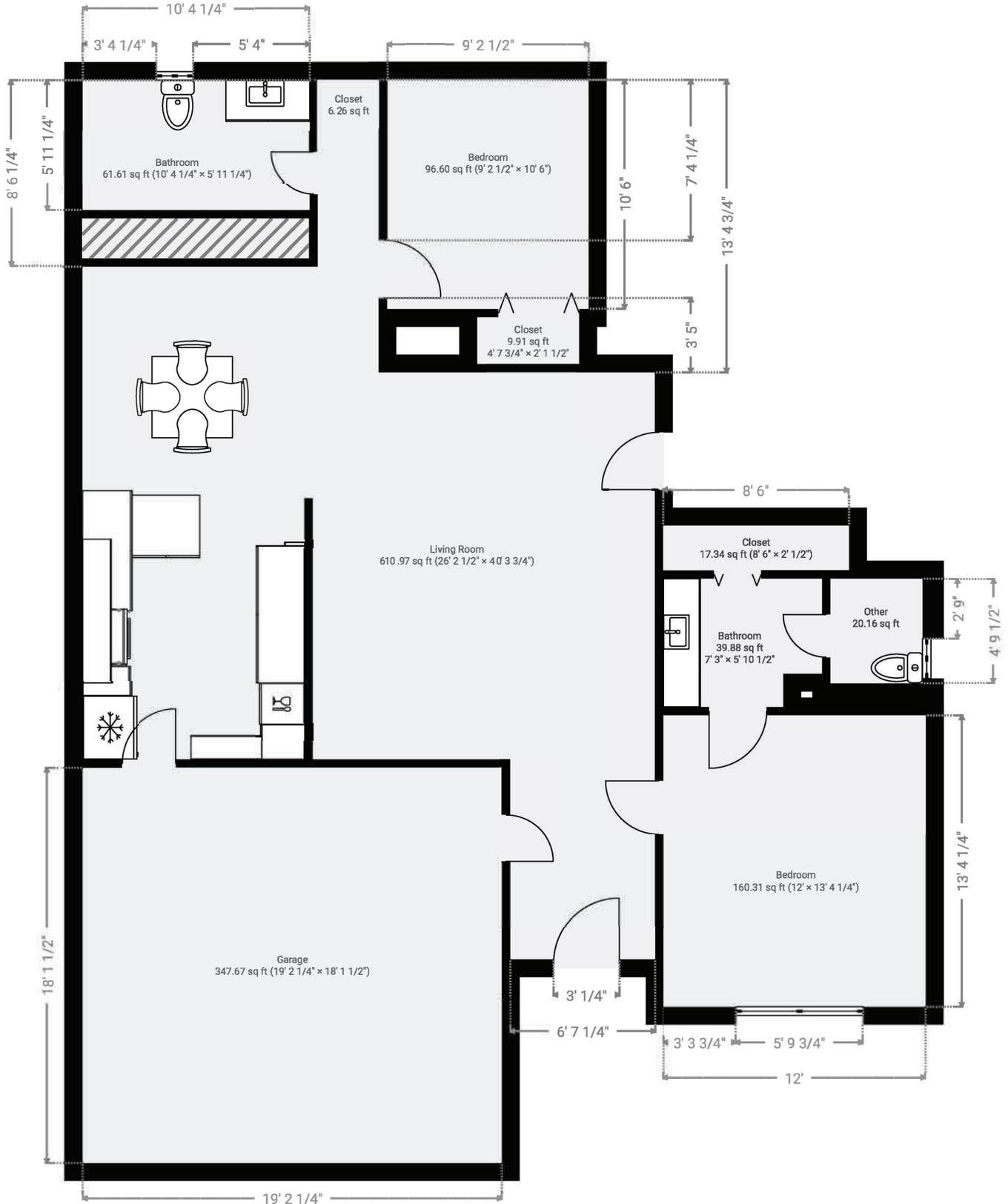
My New Project

13 Moss Rock Drive, 78130 New Braunfels, Texas, US
TOTAL AREA: 1604.56 sq ft • LIVING AREA: 1218.32 sq ft • FLOORS: 1 • ROOMS: 10



▼ 1st Floor

TOTAL AREA: 1604.56 sq ft • LIVING AREA: 1218.32 sq ft • ROOMS: 10



THIS FLOOR PLAN IS PROVIDED WITHOUT WARRANTY OF ANY KIND. SENSOPIA DISCLAIMS ANY WARRANTY INCLUDING, WITHOUT LIMITATION, SATISFACTORY QUALITY OR ACCURACY OF DIMENSIONS.



My New Project

15 Moss Rock Drive, 78130 New Braunfels, Texas, US
TOTAL AREA: 1574.52 sq ft • LIVING AREA: 1281.47 sq ft • FLOORS: 1 • ROOMS: 15



▼ 1st Floor

TOTAL AREA: 1574.52 sq ft • LIVING AREA: 1281.47 sq ft • ROOMS: 15

