



**CITY OF NEW BRAUNFELS, TEXAS  
BOARD OF ADJUSTMENT MEETING**



**CITY HALL - COUNCIL CHAMBERS  
550 LANDA STREET**

**THURSDAY, MAY 22, 2025 at 6:00 PM**

**AGENDA**

**1. CALL TO ORDER**

**REQUEST ALL PHONES AND OTHER DEVICES BE TURNED OFF, EXCEPT  
EMERGENCY ON-CALL PERSONNEL**

**2. ROLL CALL**

**3. APPROVAL OF MINUTES**

- A) Approval of the April 24, 2025 regular meeting minutes. [25-620](#)  
[April 24, 2025 Minutes](#)

**4. INDIVIDUAL ITEMS FOR CONSIDERATION**

- A) ZB25-0007 Hold a public hearing and consider a request [25-566](#)  
for a variance from Sec. 144-5.1. Parking, loading,  
stacking and vehicular circulation, to reduce the number  
of required off-street parking spaces (5) for a beauty  
shop/personal service use by 5 spaces in the C-3  
(Commercial District), currently addressed at 323 St.  
Mary Street.  
Applicant/Owner: Shayana Flick  
[Aerial](#)  
[Site Plan](#)  
[Subject Property Photo](#)  
[Notification Map, List & Responses](#)

**5. EXECUTIVE SESSION**

In accordance with the Open Meetings Act, Texas Government Code, Ch. 551.071, the Commission may convene in a closed session to discuss any of the items listed on this agenda. Any final action or vote on any executive session item will be taken in open session.

**6. ADJOURNMENT**

**CERTIFICATION**

I hereby certify the above Notice of Meeting was posted on the bulletin board at the New Braunfels City Hall.

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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

550 Landa Street  
New Braunfels, TX

**5/22/2025**

Agenda Item No. A)

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**DRAFT - MINUTES  
OF THE NEW BRAUNFELS BOARD OF ADJUSTMENT  
REGULAR MEETING OF THURSDAY, APRIL 24, 2025**

**1. CALL TO ORDER**

Chair Coker called the meeting to order at 6:00pm.

**2. ROLL CALL**

The following Board Members were present: Bobby Avary, John Coker, Jenny Jaeckle, Brandon Mund, and Adam Schneider.

**3. APPROVAL OF MINUTES**

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

Motion by Member Avary, seconded by Vice-Chair Mund, to approve the March 27, 2025 regular meeting minutes. Motion carried unanimously.

**4. INDIVIDUAL ITEMS FOR CONSIDERATION**

A) 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

Colton Barker presented the aforementioned item.

Chair Coker asked if there were any questions for staff.

Discussion followed on existing sign ordinance standards versus sign standards proposed as part of the Draft Land Development Ordinance (LDO), the potential for compliance with the required setback from the property line, the location of the retaining wall, the zoning and use of surrounding properties, sight triangle requirements, sign lighting standards, and minimum setback requirements of the zoning district.

Chair Coker invited the applicant to speak on the item.

Terry Tschirhart elaborated on the request, discussing property access and easements, challenges for effective advertising, sign setbacks of the area, the intent of the request, landscaping on adjacent



property and within public right-of-way, sign lighting and copy size, and maintaining space for building maintenance.

Discussion followed on the proposed sign location and potential alternatives, sign visibility and orientation, the stated hardship, sign standards proposed as part of the LDO, challenges due to the retaining wall, historic property lines, public right-of-way, and the BOA's variance granting authority.

Chair Coker opened the public hearing and asked if anyone wished to speak on the item.

No one spoke.

Chair Coker closed the public hearing.

Chair Coker asked if there were any further discussion or motion.

Discussion followed on the dimensions and location of the proposed sign, and each of the two variance requests.

Motion by Member Avary, seconded by Member Jaeckle, to approve the requested variance to allow a proposed freestanding monument sign to exceed the maximum allowed sign area for monument signs in the C-1A Neighborhood Business District by 14.67 square-feet. Motion passed (4-1-0) with Vice-Chair Mund in opposition.

The requested variance to allow a proposed freestanding monument sign to encroach up to 9ft into the minimum required 10ft setback for monument signs in the C-1A Neighborhood Business District failed due to a lack of a motion.

## **6. ADJOURNMENT**

There being no further business Chair Coker adjourned the meeting at 6:29pm.

By: \_\_\_\_\_  
BOARD CHAIR

**Attest:**

\_\_\_\_\_  
BOARD LIAISON

5/22/2025

Agenda Item No. A)

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**PRESENTER:****Applicant/Owner:** Shayana Flick**SUBJECT:**

**ZB25-0007** Hold a public hearing and consider a request for a variance from Sec. 144-5.1. Parking, loading, stacking and vehicular circulation, to reduce the number of required off-street parking spaces (5) for a beauty shop/personal service use by 5 spaces in the C-3 (Commercial District), currently addressed at 323 St. Mary Street.

**BACKGROUND RATIONALE:****Case #:** ZB25-0007**Applicant:** Shayana Flick, info@rewaxationspa.com, (818) 370-9255**Staff Contact:** Mary Lovell, mlovell@newbraunfels.gov, (830) 221-4051

The property is zoned “C-3” (Commercial District). The property is surrounded by C-3 zoning and single-family residences to the east, west, and north, and open space to the south.

St. Mary Street terminates at a dead end due to the location of the Guadalupe River to the east. The property is approximately 100 feet west of the intersection of Kuehler Road and Business 35.

The subject property is developed with a one-story 912-square-foot home with a 192-square-foot attached storage area. Since the total square footage is 1,104 square feet and the required parking ratio is one space for every 250 square feet of the permitted use of a beauty parlor, also known as a salon, under current code requirements, a total of 5 off-site parking spaces are required.

The applicant requests a variance to reduce the number of required off-street parking spaces (5) for a beauty shop/salon use by 5 spaces in the C-3 (Commercial District).

Section 2.2-2(a) of the Zoning Ordinance states the BOA may authorize a variance from the zoning 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 that the property was built as a single-family home long before commercial parking regulations existed. It is located at the end of a dead-end street, and the lot does not support the required number of parking spaces (with maneuvering space) without significant site modifications. These physical and layout limitations are specific to this parcel and not shared by most commercially zoned properties), **and**
- 2) That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;** (The applicant states that this property is zoned for commercial use, and the proposed business is fully allowed under C-3 zoning. However, without a variance from the parking requirement, the business cannot be operated due to constraints unrelated to the use. The variance preserves the ability to make

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reasonable use of the property for a quiet, professional service that creates no disruption to the area), **and**

**3) That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area;** (The applicant states that the proposed use is extremely low traffic, with no walk-ins, no retail component, and a maximum of four people on site at any given time. Street parking in front of the property is unrestricted, legal, and underutilized. While there is a residential property adjacent to this lot, its access and parking are located on a separate street. The proposed use does not create overflow, block access, or interfere with any neighboring operations or infrastructure), **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 that the granting of the variance will not impede the orderly use of land within the area. The variance will help in maintaining the property's residential character and peaceful presence. The proposed use is entirely contained on-site, with no outdoor activity or added traffic beyond what the site already supports. There is no impact on neighboring development, traffic flow, or long-term land uses in the area), **and**

**5) That an undue hardship exists;** (The applicant states that there is a hardship to the land since the conditions on the site were created because the lot was constructed for residential use, and its layout does not support commercial parking without major reconstruction. The hardship is not based on personal or financial reasons alone, but on physical limitations, environmental considerations, and a mismatch between the scale of required infrastructure and the very small impact of the proposed business. The applicant states that she is not seeking special treatment, but is operating in line with the city's evolving parking policies, which already anticipate more flexible solutions for small, low-traffic businesses such as the proposed development), **and**

**6) That the granting of a variance will be in harmony with the spirit and purpose of these regulations.** (The applicant states that granting the variance is in harmony with the intent of city regulations because the purpose of the city's parking code is to ensure safety, accessibility, and responsible use of land. The proposed business will be meeting those goals through an appointment-only model, staff-only use of the driveway, and client use of legal, underutilized curb space. This variance, if approved, will also avoid unnecessary paving and runoff near the river. This variance supports a small business operating responsibly while maintaining flexibility during a time when the city is already re-evaluating its parking requirements.)

## **GENERAL INFORMATION:**

### **Size:**

Lot area: 9,000 square feet

Lot depth: 150 feet

Lot width: Front 60 feet

### **Variance Request Due to Notice of Violation:**

No

### **Surrounding Zoning and Land Use:**

North - C-3, Single-family residences

South - C-3, Open space

East - C-3, Single-family residence

West - C-3, Single-family residence

## **Notification**

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Public hearing notices were sent to 12 owners of property within 200 feet of the subject property. To date, staff has received no opposition responses.







LOT 1

LOT 2

LOT 3

N 60°58' E 60' CALLED  
N 60°02'12" E 59.45'

FENCE IS 0.3' OUTSIDE

FENCE IS 0.5' OUTSIDE

**LEGEND:**

CC COVERED CONCRETE  
W WATER METER BOX  
E ELECTRIC METER  
EP EDGE OF PAVEMENT  
PP POWER POLE  
OU OVERHEAD UTILITIES  
// WOOD FENCE  
X WIRE FENCE  
◇ CHAINLINK FENCE  
○ FOUND 1/2" REBAR  
● FOUND 3/4" REBAR

LOT 15  
NCB 1059

CURB IS 1.0' OUTSIDE

LOT 16

LOT 14

N 29°02' W 150' CALLED  
N 29°01'33" W 149.38'

S 29°02'02" E 150.35'  
S 29°02' E 150' CALLED

Maximum Occupancy:  
2 Estheticians + 2 Clients  
(Appointment Only)

Unoccupied Lot

Parking- 3 Staff  
Parking Spaces  
(Existing)

Existing Building  
(Salon Use)

ONE STORY  
RESIDENCE  
#323

CC

S 60°58'00" W 59.46'

S 60°58' W 60' CALLED  
REFERENCE BEARING

ST. MARY ST.

Unrestricted Street Parking-  
Max 2 Clients

Dead-End Street





**323 St. Mary St.**



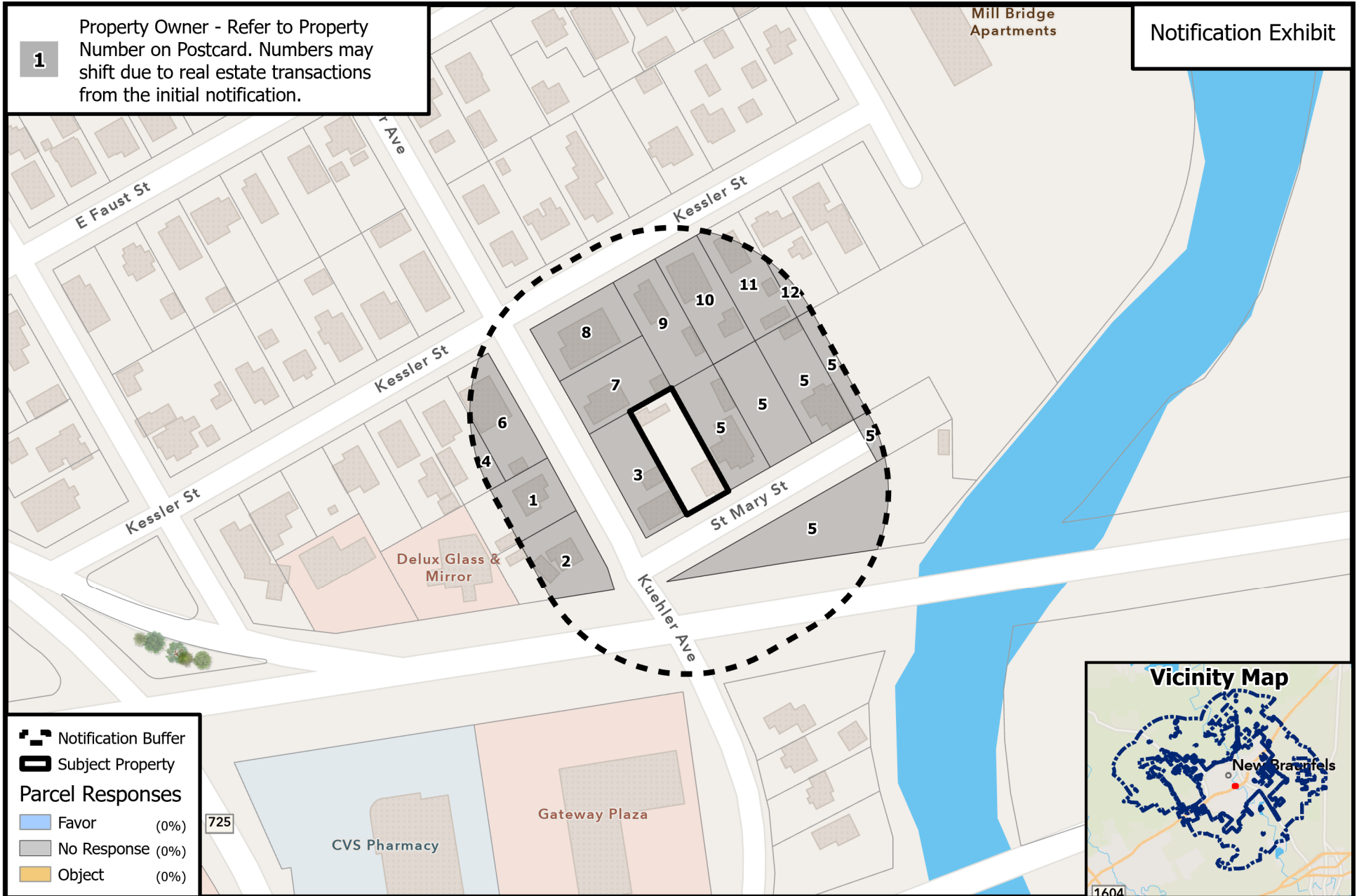


**323 St. Mary St.**

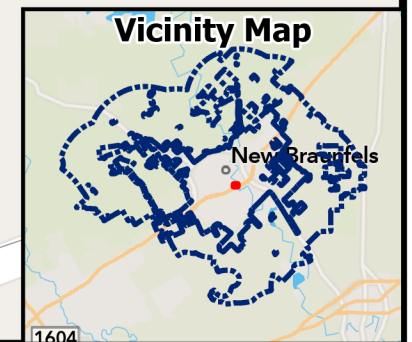


1

Property Owner - Refer to Property Number on Postcard. Numbers may shift due to real estate transactions from the initial notification.



- Notification Buffer
- Subject Property
- Parcel Responses**
- Favor (0%)
- No Response (0%)
- Object (0%)



**BOARD OF ADJUSTMENT – May 22, 2025 – 6:00PM**

City Hall Council Chambers

**Applicant:** Shayana Flick

**Address/Location:** 323 ST MARY ST

**Variance Case # ZB25-0007**

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 | JENN-GARR LLC                | 7  | REHLER JAMES CURTIS                   |
| 2 | GUADALUPE AMARO PARTNERSHIP  | 8  | LLOYD LOGAN                           |
| 3 | GORMLEY MARGIE L RVCBL TRST  | 9  | B & D HILL COUNTRY HOLDINGS LLC       |
| 4 | FOEH LISA D                  | 10 | DAWSON WILLIAM S & ALEXANDRA R PARKER |
| 5 | OGC AQUALAND HOLDINGS LLC    | 11 | RICHARDS TRISTAN & JANNA K LOTT       |
| 6 | PENROSE EDWARD K JR & SILVIA | 12 | CRENWELGE KARL G                      |

**SEE MAP**