

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS GRANTING A TYPE 2 SPECIAL USE PERMIT TO ALLOW SHORT TERM RENTAL OF A SINGLE-FAMILY DWELLING IN THE “M-1” LIGHT INDUSTRIAL DISTRICT, ON A PORTION OF LOT 188, CITY BLOCK 2007 ADDRESSED AT 343 E. MILL STREET; 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 also 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 compatibility 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 rentals; and

WHEREAS, the City Council desires to grant a Type 2 Special Use Permit for a portion of Lot 188, City Block 2007, addressed at 343 E. Mill Street, to allow the short-term rental of a single-family dwelling in the “M-1” 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 described tract of land as a “Special Use Permit” for the uses and conditions herein described:

0.119 acres out of Lot 188, City Block 2007, addressed at 343 E. Mill Street, as described in Exhibit “A” and delineated on Exhibit “B” attached.

SECTION 2

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

1. The residential character of the building must be maintained.
2. The property will remain in compliance with the approved site plat attached as Exhibit 'C'. Any significant changes to the site plan will require a revision to the SUP.
3. Occupancy will be limited to a maximum of six (6) occupants including adults and children.
4. All other Supplemental Standards of Section 144-5.17-4 will be met.

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 May, 2019.

PASSED AND APPROVED: Second reading this 10th day of June, 2019.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

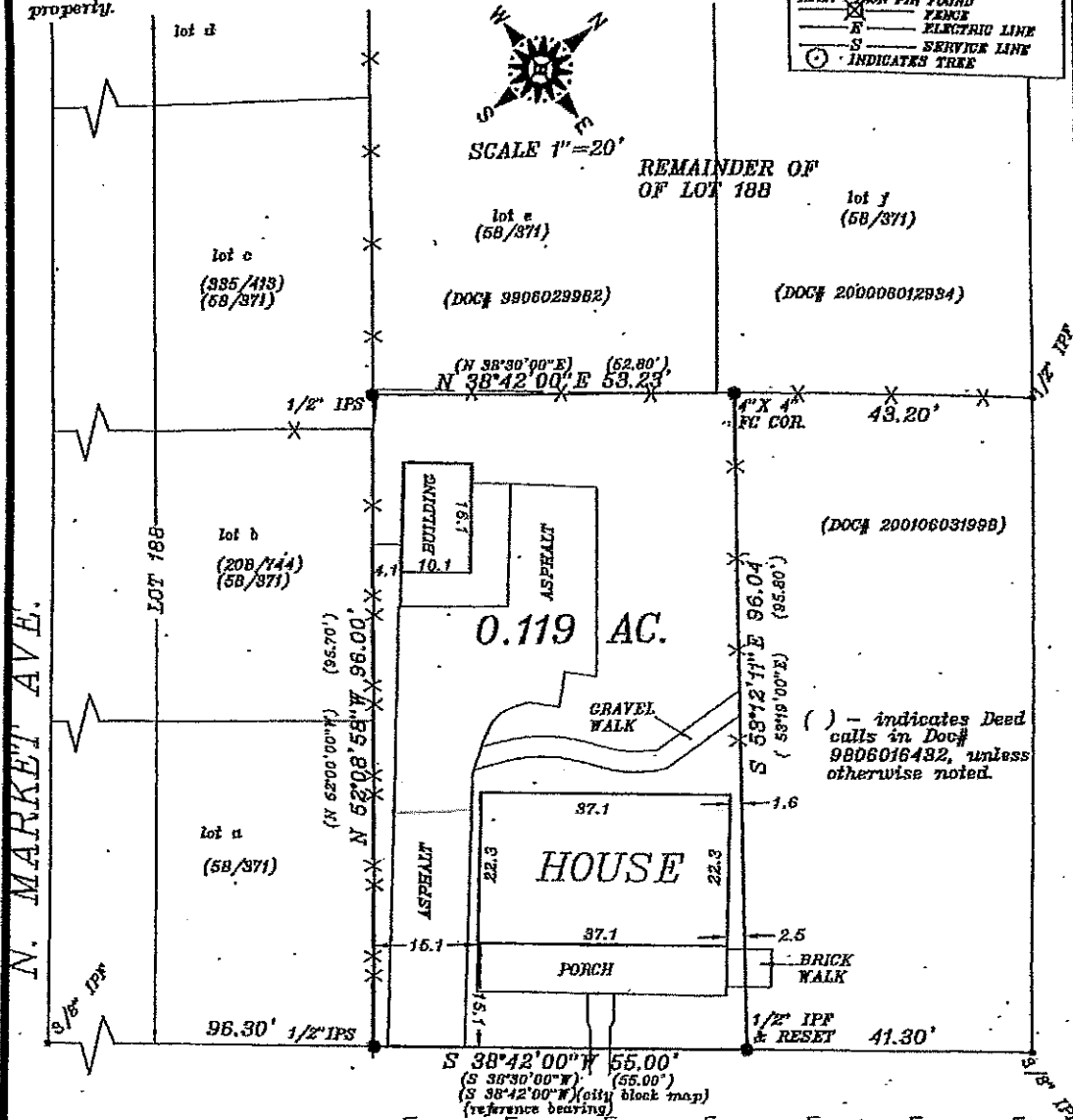
Reference Field notes dated December 6, 2006, of this 0.119 acre tract.

Except as shown, this Surveyor has not conducted a Title search to depict other matters of record, such as easements, setbacks, restrictions, or other encumbrances that may or may not affect this property.

LEGEND

FWHM POSTS MAY MEANDER
 RL - BUILDING SETBACK LINE
 U.E. - UTILITY EASEMENT
 D.E. - DRAINAGE EASEMENT
 I.P.S. - IRON PIN SET TAPPED 4009
 I.P.F. - IRON PIN FOUND

— F — FENCE
 — E — ELECTRIC LINE
 — S — SERVICE LINE
 ⊙ INDICATES TREE



E. MILL STREET

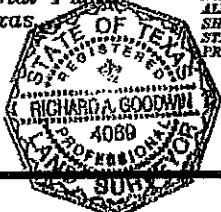
This survey is certified to:
 Donald L. Offerman, Phyllis M. Offerman,
 Benedict B. Boyle and New Braunfels Title Co.

**STATE OF TEXAS
 COUNTY OF COMAL**

S. CRAIG BOLLING INC
 410 N. SECUR
 NEW BRAUNFELS TEXAS 78130
 (830) 825-8555

Being a 0.119 acre tract of land situated in the City of New Braunfels, Comal County, Texas, being the same tract called the South part of Lot No. 188, New City Block 2007 described in Doc# 9806016432 of the Official Public Records of Comal County, Texas.

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT ALL OBSERVABLE EVIDENCE OF EASEMENTS ON THE GROUND ARE SHOWN AND ALL OBSERVABLE ABOVE GROUND EVIDENCE OF BUILDINGS STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES ARE SHOWN



THIS 6th DAY OF December 2006

Richard A. Goodwin
 RICHARD A. GOODWIN, RPLS # 4089

343 E. Mill Street
 New Braunfels, Texas

061202

W.R.
Angie Reynolds

EXHIBIT "A"



Location Map

Legend
 Subject



SUP19-054
343 E. Mill Street
SUP for Short Term Rental

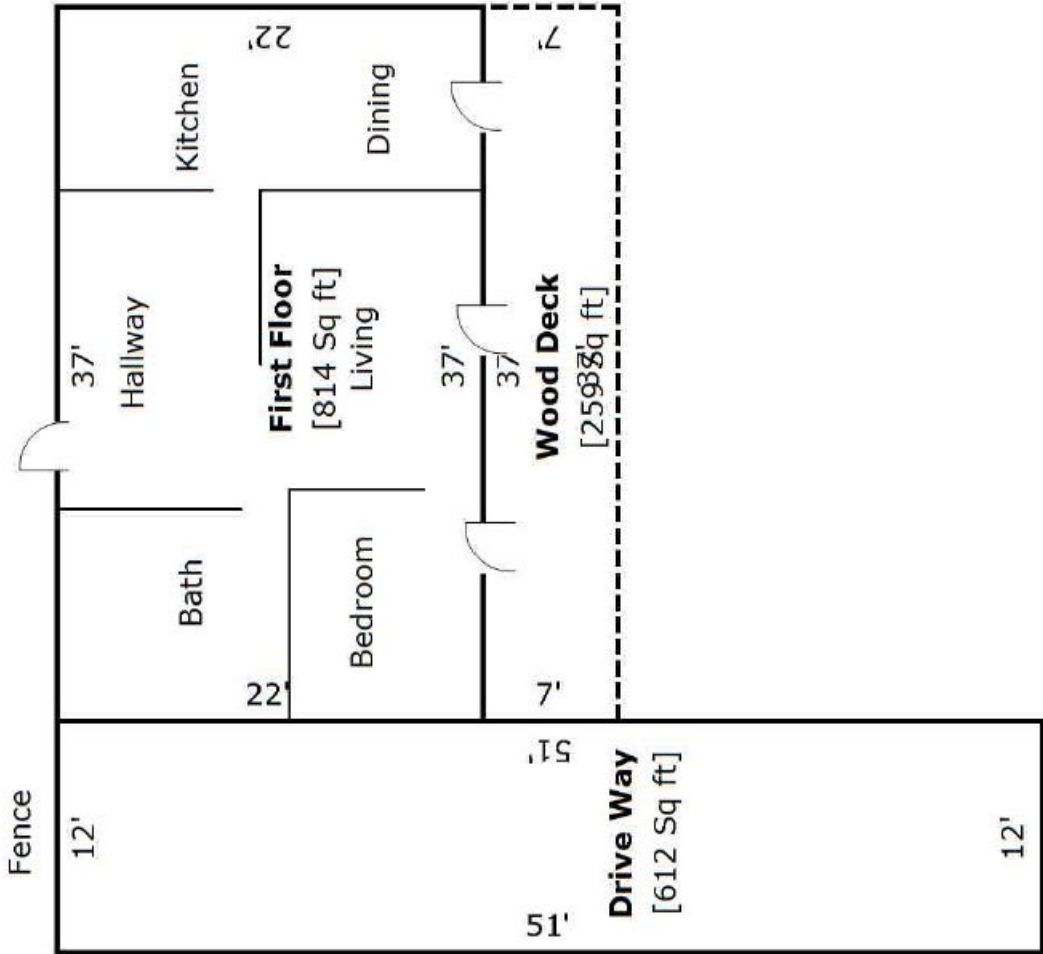


EXHIBIT "C"