

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 105 ACRES OUT OF THE A. M. ESNAURIZAR A-20 SURVEY FROM “APD AH” AGRICULTURAL/PRE-DEVELOPMENT, AIRPORT HAZARD OVERLAY DISTRICT TO “ZH-A AH” ZERO LOT LINE HOME, AIRPORT HAZARD OVERLAY DISTRICT; 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 “ZH-A” Zero Lot Line Home District, the City Council has given due consideration to all components of said district; and

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

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

WHEREAS, the City Council desires to amend the Zoning Map by rezoning approximately 105 acres out of the A. M. Esnaurizar A-20 Survey from “APD AH” Agricultural/Pre-Development, Airport Hazard Overlay District to “ZH-A AH” Zero Lot Line Home, Airport Hazard Overlay 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 described tract of land from “APD AH” to “ZH-A AH” Zero Lot Line Home, Airport Hazard Overlay District:

105.316 acres out of the A. M. Esnaurizar A-20 Survey, as illustrated in Exhibit “A” and described in Exhibit “B”, attached.

SECTION 2

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

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THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 26th day of July, 2021.

PASSED AND APPROVED: Second reading this 9th day of August, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

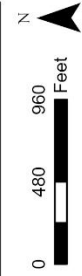
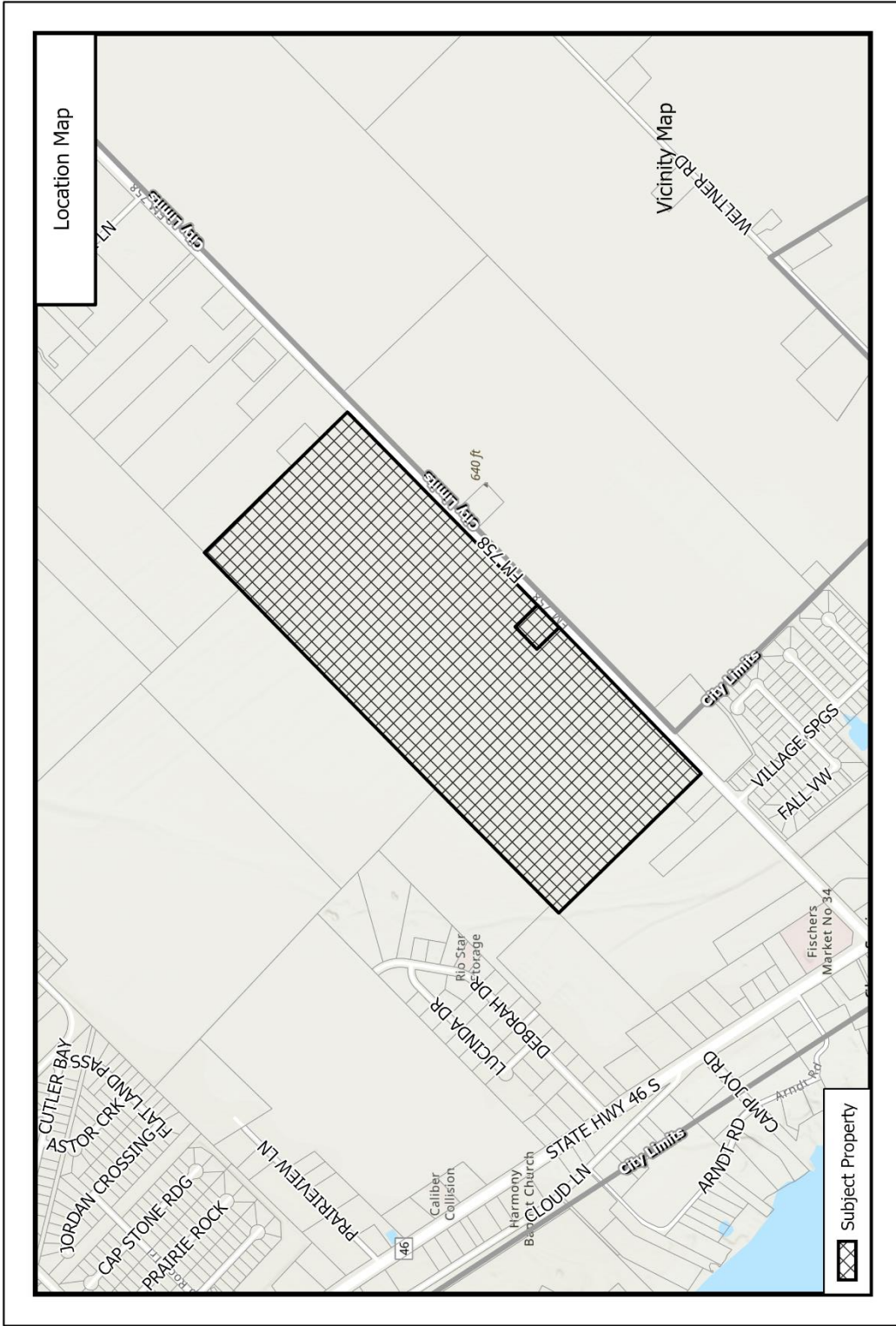
ATTEST:

CAITLIN KROBOT, Assistant City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"



DISCLAIMER: This map and information contained in it were developed exclusively or used by the City of New Braunfels. Any use or reliance on this map by anyone other than the City of New Braunfels, its employees, or its officials or employees for any discrepancies, errors, or variances which may exist.

PZ21-0197
APH AH to ZH-A AH

Source: City of New Braunfels Planning
Date: 6/30/2021



Path: \\CHFS-1\Departments\Planning\ZoneChange-SUP-Replats (2021)\PZ21-0197 - FM 758 -

EXHIBIT "B"



METES AND BOUNDS DESCRIPTION FOR

A 105.316 acre, or 4,587,561 square feet more or less, tract of land out of that 107 acre tract described in a deed to Raymond Porter and Viola Porter, recorded in Volume 194, Page 384 of the Deed Records of Guadalupe County, Texas, being all of "Tract III", described as 107 acres of land, less save and excepting all that certain piece and parcel of land conveyed to Guadalupe County for roadway widening purposes, recorded in Volume 1561, Page 504, Volume 1561, Page 508, Volume 1561, Page 513, and Document No. 202199012927, all of the Official Public Records of Guadalupe County, Texas, with interests conveyed to John Wesley Bartram, a single man, in Volume 1561, Page 504 of the Official Public Records of Guadalupe County, Texas; Carole Bartram, Trustee, in Volume 1561, Page 508 of the Official Public Records of Guadalupe County, Texas; Carole Bartram, individually, in Volume 1561, Page 513 of the Official Public Records of Guadalupe County, Texas; and Lezlee Amber Bartram Jurica in Document No. 202199012927 of the Official Public Records of Guadalupe County, Texas; situated in the Antonio M. Esnaurizar 11 League Grant, Abstract 20, Guadalupe County, Texas. Said 105.316 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 (NA2011) epoch 2010.00:

BEGINNING: At a found concrete right-of-way monument on the northwest right-of-way line of F.M. 758, a 70-foot wide right-of-way, widened in deeds recorded in Volume 234, Page 337 of the Deed Records of Guadalupe County, Texas, Volume 234, Page 347 of the Deed Records of Guadalupe County, Texas, and Volume 234, Page 313 of the Deed Records of Guadalupe County, Texas, at the east corner of a 32.77 acre tract of land described in a deed recorded in Volume 670, Page 801 of the Deed Records of Guadalupe County, Texas, for the south corner of herein described 105.316 acres;

THENCE: N 44°30'49" W, departing the northwest right-of-way line of said F.M. 758, along the common line between said 32.77 acre tract and said 107 acre tract, a distance of 1,345.04 feet to a point on the southeast line of Lot 2, Discount Storage Subdivision recorded in Volume 8, Page 421 of the Map and Plat Records of Guadalupe County, Texas, at the north corner of said 32.77 acre tract, the west corner of said 107 acre tract and herein described 105.316 acres, from which a found 1-foot square wood fence post (held for line) bears S 44°30'49" E, a distance of 5.56 feet;

THENCE: N 45°30'52" E, along the northwest line of said 107 acre tract, the southeast line of said Discount Storage Subdivision, a 40.02 acre tract of land described in a deed recorded in Volume 2065, Page 555 of the Official Public Records of Guadalupe County, Texas, and a 26.062 acre tract of land described in Volume 625, Page 583 of the Deed Records of Guadalupe County, Texas, passing the east corner of said Lot 2, the south corner of Lot 3 of said Discount Storage Subdivision, at a distance of 79.30 feet, from which a found 1/2 inch iron rod bears S44°42'34" E, a distance of 1.63 feet, passing the east corner of said Lot 3, the south corner of said 40.02 acre tract at an additional distance of 1,096.42 feet, from which a found 1/2 inch PVC pipe at a wood fence corner bears N 42°45'12" W, a distance of 2.81 feet, passing the east corner of said 40.02 acre tract, the south corner of said 26.062 acre tract at an additional distance of 1,911.99 feet, from which a found 3 inch iron pipe bears N 44°29'09" W, a distance of 0.47 feet, continuing for an additional 310.97 feet, for a total distance of 3,398.68 feet to a found 3 inch iron pipe at the west corner of a 12.5 acre tract of land described in a deed recorded in Volume 701, Page 793 of the Official Records of Guadalupe County, Texas, the north corner of said 107 acre tract and herein described 105.316 acres;

THENCE: S 44°32'19" E, along the common line between said 12.5 acre tract and said 107 acre tract, a distance of 1,349.59 feet to a found 1 inch iron pipe on the northwest right-of-way line of said F.M. 758, at the south corner of said 12.5 acre tract, the east corner of herein described 105.316 acres;

THENCE: Along the northwest right-of-way line of said F.M. 758, over and across said 107 acre tract, the following courses and distances:

S 45°27'27" W, a distance of 2,036.79 feet to a set 1/2 inch iron rod with yellow cap marked "Pape-Dawson", and

S 45°47'27" W, a distance of 1,362.50 feet to the POINT OF BEGINNING and containing 105.316 acres in Guadalupe County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 12435-00 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: May 28, 2021
JOB NO. 12435-00
DOC. ID. N:\CIVIL\12435-00\Word\MB-12435-00_105.316 AC.docx

