



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



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

THURSDAY, AUGUST 28, 2025 at 6:00 PM

Andrea Ranft - Member
Bobby Avary Jr. - Member
Brandon Mund - Member
Jenny Jaeckle - Member
Seth Reichenau - Member

Adam Schneider - Alternate
Steve Quidley - Alternate
Maurice Lewis II - Alternate
Timothy Bray - Alternate

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 July 24, 2025 regular meeting minutes. [25-1027](#)
[July 24, 2025 Minutes](#)

4. INDIVIDUAL ITEMS FOR CONSIDERATION

- A) ZB25-0010 Public hearing and consideration of a [25-975](#)
variance request to Section 144-5.20(c) of the Zoning
Ordinance to allow an addition to an existing
manufacturing facility to exceed the maximum elevation
of 801 feet above mean sea level (MSL) permitted in the
Horizontal Zone of the Airport Hazard Zoning District by
42.20 feet (to a total elevation of 843.20 feet MSL),
currently addressed as 440 Kohlenberg Rd.

Applicant: Stephanie Groves

Owner: Continental Autonomous Mobility US, LLC

[Aerial Map](#)

[Site Plan](#)

[Height Exhibit](#)

[FAA Determination of No Hazard](#)

[Subject Property Photos](#)

[Notification Map, List & Responses](#)

- B) ZB25-0013 Hold a public hearing and consider a request [25-990](#) for 3 variances to allow a proposed accessory structure in the SND-1, "Special Neighborhood District-1," currently addressed at 645 Cross St, including:
1. A variance from Sec. 144-5.4 (d) to allow an accessory structure to occupy more than 30 percent of the rear yard, an increase by 2 percent, for a total of 32 percent coverage of the rear yard,
 2. A variance from Sec.144-5.4 (e) to allow an accessory structure to exceed the height of the main dwelling by 4 feet, 5 ¼ inches, and
 3. A variance from Sec.144-3.8 (b) (10) to allow a two-story accessory building to exceed the 1,000 -square-foot size limit by 555 square feet for a total structure size of 1,555 square feet.

Applicant: Greg Hirsch

Owners: Dougal and Mignon Kenagy

[Aerial](#)

[Site Plan](#)

[Floor Plan](#)

[Architectural Renderings](#)

[Elevations](#)

[Subject Property Photos](#)

[Notification Map, List & Responses](#)

6. **EXECUTIVE SESSION**

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

7. **ADJOURNMENT**

CERTIFICATION

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

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

8/28/2025

Agenda Item No. A)

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

1. CALL TO ORDER

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

2. ROLL CALL

The following members were present:

Member Bobby Avary

Member Andrea Ranft

Member Seth Reichenau

Vice-Chair Jenny Jaekle

Chair Brandon Mund

3. APPROVAL OF MINUTES

A) Approval of the June 26, 2025 regular meeting minutes.

Motion by Member Avary, seconded by Vice-Chair Jaekle, to approve the June 26, 2025 regular meeting minutes. Motion carried unanimously (5-0-0).

4. INDIVIDUAL ITEMS FOR CONSIDERATION

A) ZB25-0011 Hold a public hearing and consider a request for a variance from Sec. 144-3.3-10 (b)(1)(i) to allow a building to exceed the 75-foot maximum height by 8 feet, 10 inches, in the C-4 (Resort Commercial District), addressed at 738 IH 35 North

Mary Lovell presented the aforementioned item.

Chair Mund asked if there were any questions for staff.

Discussion followed on building permitting, zone change requests, project timelines, property hardship, height requirements, the existing zoning of the property, building height of other properties in the area, and anticipated changes to the zoning code as part of the Land Development Ordinance (LDO).

Chair Mund invited the applicant to speak on the request.

Hunter Goodwin elaborated on the request discussing building permitting, project timelines and challenges, property hardships,

platted easements on the property, surrounding land use, and communication efforts with neighboring residents, and efforts to ensure compliance with City codes.

Discussion followed on the developable footprint of the property, property hardships, development requirements for properties within a floodplain, zoning and property configuration,

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

Two individuals spoke in favor of the request.

Chair Mund closed the public hearing.

Chair Mund asked if there were any further discussion or motion to be made.

Brief discussion followed on property hardships.

Motion by Member Avary, seconded by Chair Mund to approve the request. Motion carried unanimously (5-0-0).

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.

Did not convene and no action taken.

6. ADJOURNMENT

There being no further business Chair Mund adjourned the meeting at 6:33pm.

By: _____
BOARD CHAIR

Attest:

BOARD LIAISON

8/28/2025

Agenda Item No. A)

PRESENTER:**Applicant:** Stephanie Groves**Owner:** Continental Autonomous Mobility US, LLC**SUBJECT:**

ZB25-0010 Public hearing and consideration of a variance request to Section 144-5.20(c) of the Zoning Ordinance to allow an addition to an existing manufacturing facility to exceed the maximum elevation of 801 feet above mean sea level (MSL) permitted in the Horizontal Zone of the Airport Hazard Zoning District by 42.20 feet (to a total elevation of 843.20 feet MSL), currently addressed as 440 Kohlenberg Rd.

BACKGROUND RATIONALE:**Case #:** ZB25-0010**Applicant:** Stephanie Groves, stephanie.groves@gseeng.com**Owner:** Continental Autonomous Mobility US, LLC, clint.zengler@continental-corporation.com**Staff Contact:** Mary Lovell, (830) 221-4051, mlovell@newbraunfels.gov

The property is zoned M-1A (Light Industrial District), which establishes a maximum building height of 120 feet. The proposed addition to the manufacturing facility is approximately 114 feet in height; therefore, it complies with the base zoning district's height limitation.

However, the property is also located within the Horizontal Zone of the Airport Hazard Overlay Zoning District, which limits structures to a maximum elevation of 801 feet above mean sea level (MSL). The proposed building addition will reach an elevation of 843.20 feet MSL, which exceeds the allowable height by 42.20 feet.

The applicant has provided documentation confirming that the Federal Aviation Administration (FAA) completed an aeronautical study, circulated it for public comment, and received no responses. The study included an analysis of all four corners of the proposed building. Supporting documents are provided in the attachments.

Before applying for a variance from the Board of Adjustment, the applicant was required to obtain a recommendation from the New Braunfels National Airport Advisory Board. On July 23, 2025, the board discussed and unanimously voted to recommend a waiver for the proposed addition to exceed the height limitation in the Horizontal Zone of the Airport Hazard Zoning District.

Strict application of the Airport Hazard Zoning District standard would prevent the construction of the proposed building addition, despite compliance with the underlying zoning district's height requirements. The applicant is therefore requesting a variance of 42.20 feet to allow for a structure to have a maximum height of 843.20 feet above mean sea level.

Section 2.2-2(a) of the Zoning Ordinance states the Board of Adjustment may authorize a variance from the zoning regulations only upon finding 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 due to the site's proximity to the airport, an undue special circumstance arises when

considering the additional development of the land. Per the FAA, the "aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities." As a result, the FAA has determined that the proposed additional structure would not be a hazard to air navigation), **and**

2) That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; (The applicant states that Continental Automotive desires to make a significant investment into their existing manufacturing facility. The added space includes approximately 140,000 square feet of additional manufacturing space, including a 27,000 square foot piece of equipment that is known as an Automated Storage and Retrieval System (ASRS) that is approximately 101 feet tall. The existing facility manufactures electronic equipment for automobiles. The new addition will house a new manufacturing process producing additional electronic equipment for commercial vehicles, as well as a new product line for autonomous over-the-road trucks. This new process requires large quantities of parts and a storage system to support the production process. To accommodate this, the process will require the installation of automatic storage and retrieval equipment (ASRS). This process uses robotic cranes to store and retrieve pallets. The top of storage will be 85 feet high with an approximate building roof height of 114 feet, which is also measured at 843.20 feet above mean sea level), **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 granting the variance is essential to the continued growth of the business and its positive contribution to the local economy. The additional building height will not be detrimental to public health, safety, or welfare, nor will it adversely affect surrounding properties.

The applicant further notes that aircraft using the airport will continue to be operated in compliance with federal aviation standards, and that the Airport Hazard Zoning District overlay imposes restrictions that are more stringent than federal requirements. The proposed addition was reviewed by the Federal Aviation Administration (FAA) through an aeronautical study, which included a public comment period. No objections were received, and the FAA determined that the structure does not create a navigational hazard. Therefore, the requested variance would not negatively impact public health, safety, or welfare), **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 requested variance will not interfere with the orderly use or development of surrounding properties. The adjacent properties are currently undeveloped, and the facility's buildings are located a significant distance from the property boundaries), **and**

5) That an undue hardship exists; (The applicant states that there is undue hardship to the land by requiring the use of outdated measurements that are no longer applicable to federal airspace regulations. The FAA states that a structure as tall as 843.20 feet above mean sea level would not be a hazard to air navigation, as evidenced by the FAA Determination of No Hazard documents dated May 13, 2025, included in the attachments. In addition, strict application of the Airport Hazard Zoning District standard would prevent the property owner from constructing an addition that otherwise complies with the underlying zoning district. The elevation restriction results in a practical difficulty due to the natural topography and the existing grade of the site relative to mean sea level, which the applicant cannot reasonably alter), **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 of the variance will be in harmony with the spirit and purpose of the city's

regulations. The intent of the Airport Hazard Zoning District is to protect the public and ensure safe navigation of aircraft. The FAA's aeronautical study concluded that the proposed structure does not pose a hazard to air navigation. Therefore, granting the variance would not conflict with the spirit or intent of the ordinance.)

GENERAL INFORMATION:

Base Zoning District: M-1A (Light Industrial District)

Base Zoning District Height Maximum: 120 feet

Land Use Allowed by Right: Yes

Overlay District: Airport Hazard Zoning District

Overlay District Maximum Height: 801 feet above mean sea level

Proposed Height of Addition: 843.20 feet above mean sea level

Size of Lot:

Lot area: 47.3 acres (2,059,000 square feet)

Lot depth: 1,420 feet

Lot width: 1,450 feet

Variance Request Due to Notice of Violation:

No

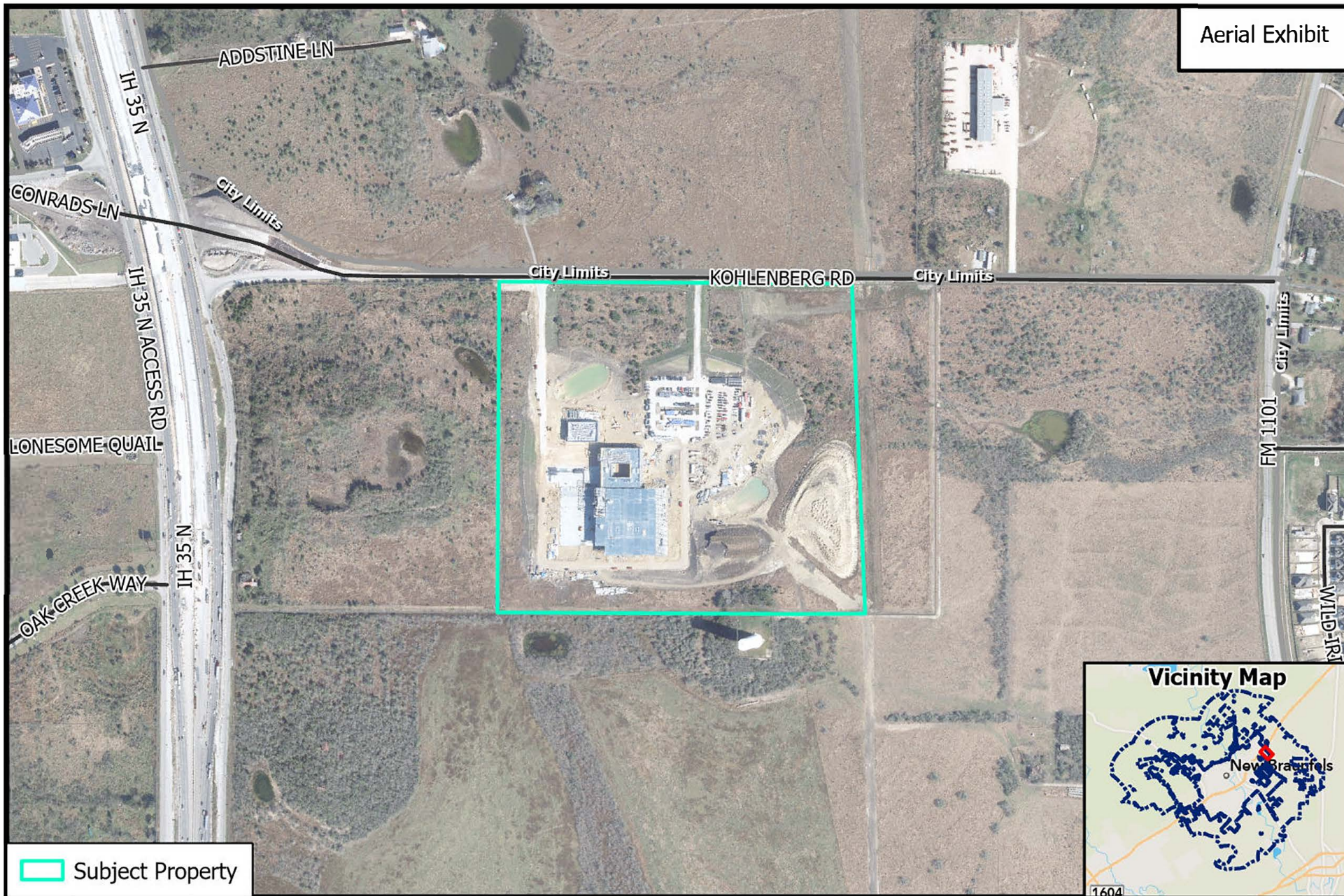
Surrounding Zoning and Land Use:

North, South, East, & West - Undeveloped Land

Notification

Public hearing notices were sent to 3 owners of property within 200 feet of the subject property. To date, staff has received no responses in opposition.

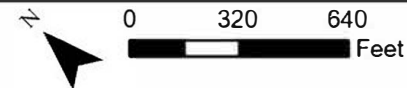
Aerial Exhibit



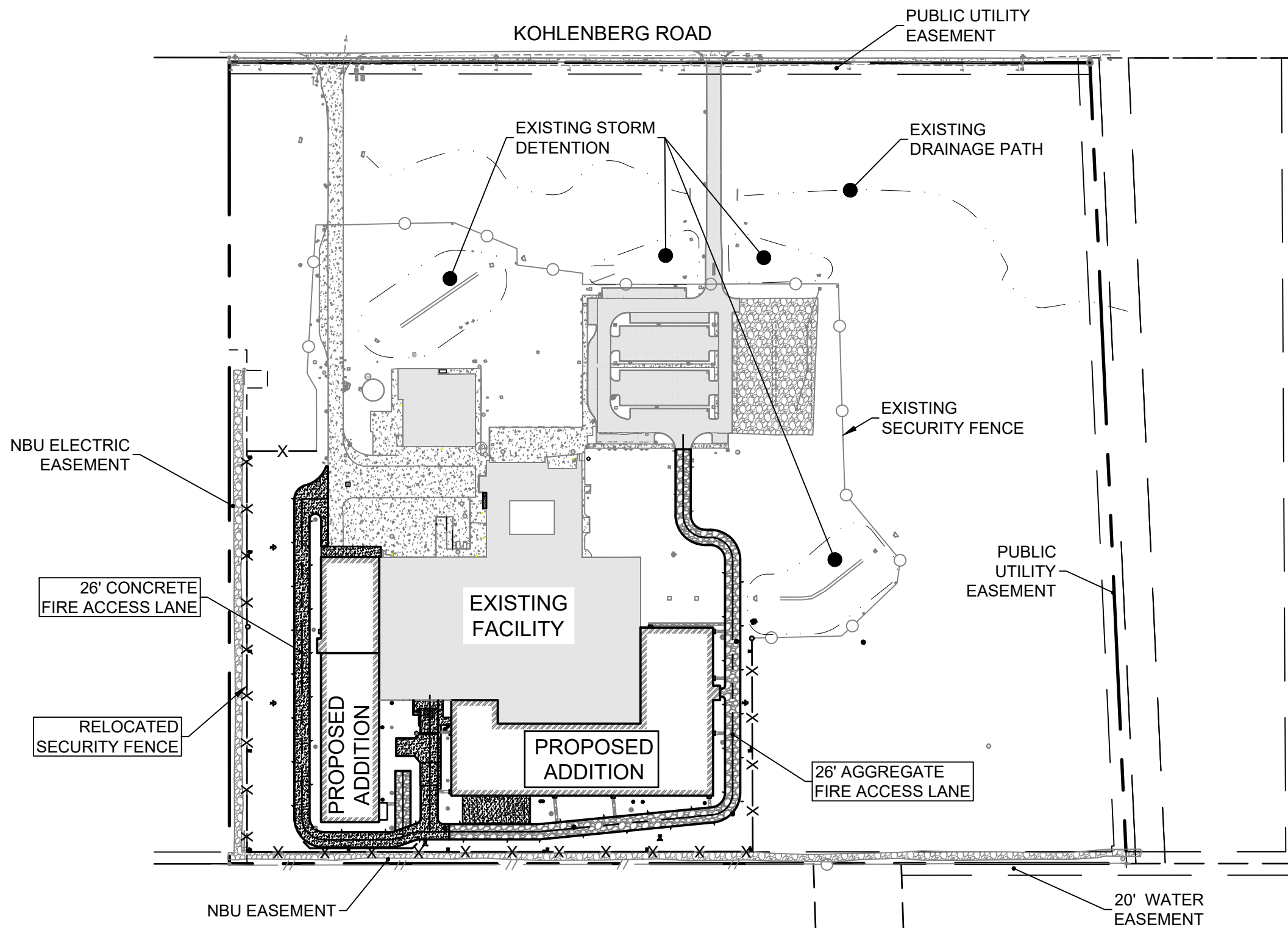
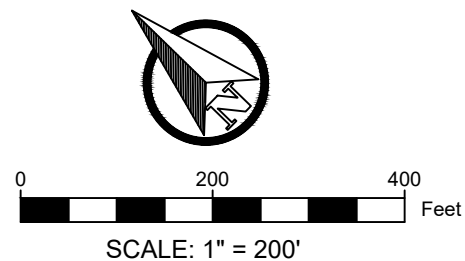
ZB25-0010
Height Variance

Path:
P:\BOA\2025 Cases\ZB25-0010 - 440 Kohlenberg Rd\NPH\ZB25-0010.aprx

Source: City of New Braunfels Planning
Date: 8/11/2025



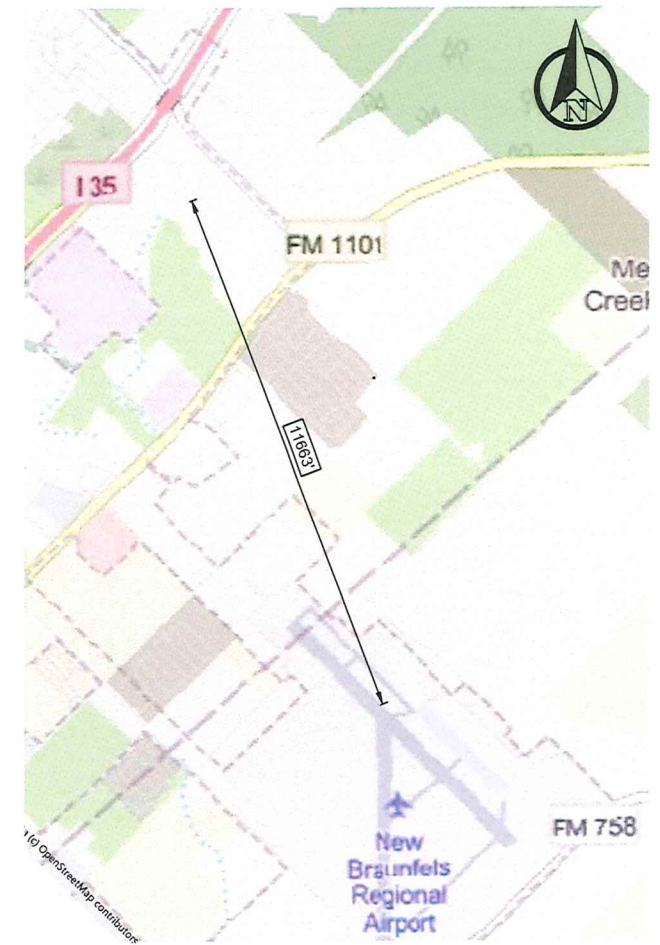
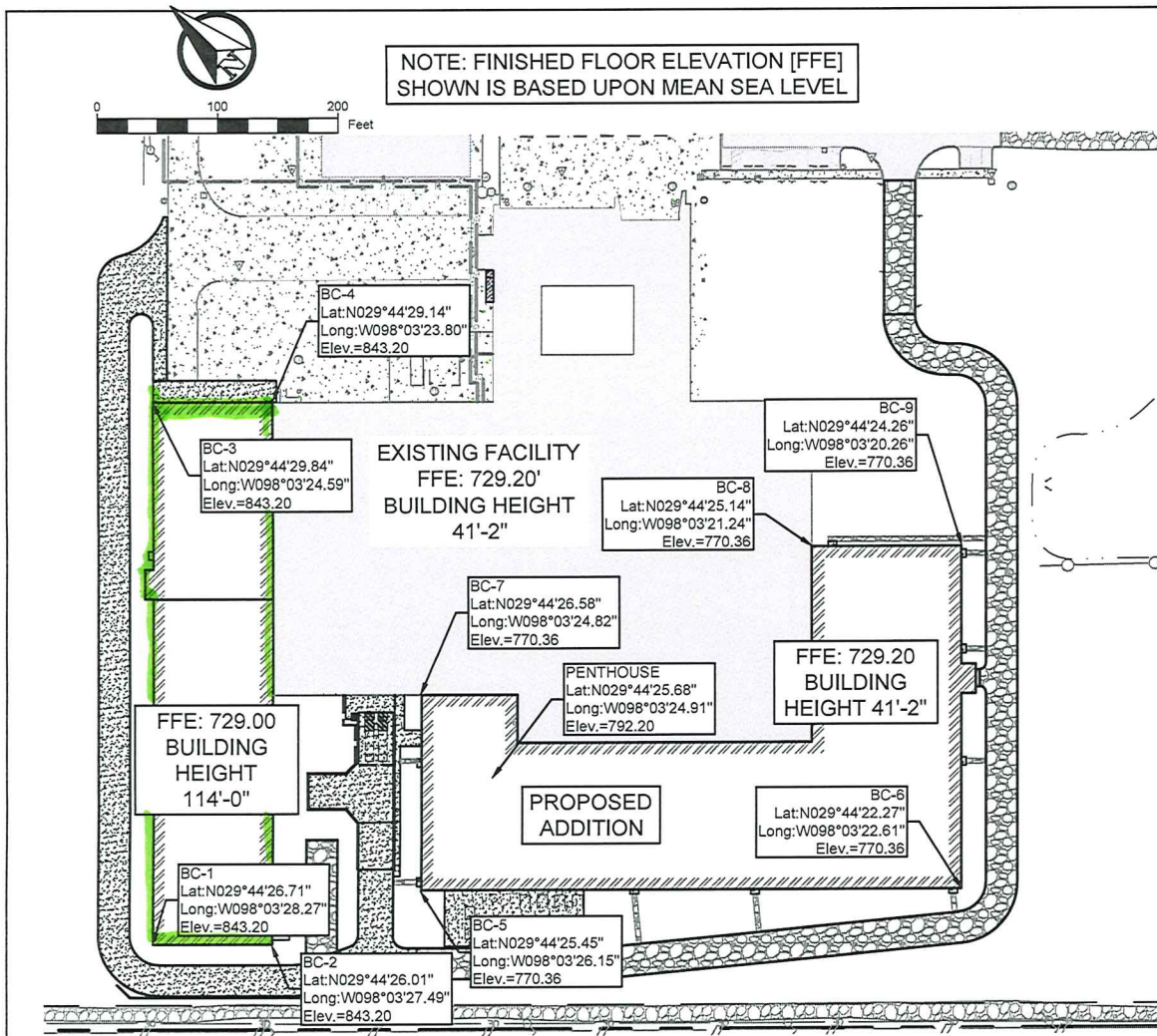
DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of New Braunfels. The City of New Braunfels and its officials or employees for any discrepancies, errors, or variances which may exist.



					CLIENT:
A	06/26/25	ISSUED FOR REVIEW	THK	SAG	
REV	DATE	DESCRIPTION	DRAWN BY	APPROVED BY	



PROJECT:	CONTINENTAL AUTOMOTIVE SYSTEMS INC.			DRAWN:	CHECKED:	APPROVED:
	NEW BRAUNFELS, TX			THK	SAG	SAG
	SITE PLAN VARIANCE EXHIBIT			DATE:	SCALE:	REVISION
				06/26/25	1" = 200'	A
				DRAWING NUMBER:		



		CLIENT:	
A	06/26/25	ISSUED FOR REVIEW	THK SAG
REV	DATE	DESCRIPTION	THK SAG
			APPROVED BY

Continental

PROJECT: CONTINENTAL AUTOMOTIVE SYSTEMS INC. NEW BRAUNFELS, TX BUILDING HEIGHT EXHIBIT	DRAWN: THK	CHECKED: SAG	APPROVED: SAG
	DATE: 06/26/25	SCALE: 1" = 100'	REVISION: A
	DRAWING NUMBER:		



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2025-ASW-4962-OE
Prior Study No.
2025-ASW-92-OE

Issued Date: 05/13/2025

Timothy Morris
Gulf States Engineering
600 Azalea Road
Mobile, AL 36609

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Commercial Use Building ASRS BC-1
Location:	New Braunfels, TX
Latitude:	29-44-26.71N NAD 83
Longitude:	98-03-28.27W
Heights:	729 feet site elevation (SE) 114 feet above ground level (AGL) 843 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

This determination expires on 11/13/2026 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2025-ASW-4802-OE
Prior Study No.
2025-ASW-87-OE

Issued Date: 05/13/2025

Timothy Morris
Gulf States Engineering
600 Azalea Road
Mobile, AL 36609

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Commercial Use Building ASRS BC-2
Location:	New Braunfels, TX
Latitude:	29-44-26.01N NAD 83
Longitude:	98-03-27.49W
Heights:	729 feet site elevation (SE) 114 feet above ground level (AGL) 843 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

This determination expires on 11/13/2026 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before June 12, 2025. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, 5th floor, 600 Independence Ave, SW., Washington, DC 20597. FAA encourages the use of email to ensure timely processing.

This determination becomes final on June 22, 2025 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Chris Smith, at (817) 222-5928, or chris.smith@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2025-ASW-4802-OE.

Signature Control No: 654359100-659359842

(DNH)

Julie A. Morgan

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

A full list of acronyms and abbreviations is available at the FAA's public website at https://oeaaa.faa.gov/oeaaa/downloads/external/content/FAA_Acronyms.pdf

Part 77 - Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

Our study has disclosed that this proposed building, located approximately 2.22 nm northwest, is within the protected surfaces at NEW BRAUNFELS NTL Airport (BAZ), TX. Four (4) studies were filed for this proposal. All exceeded the FAA notice criteria and Part 77 obstruction standards as specified in 14 CFR Part 77. Each location was studied separately, and the narrative below provides the initial analysis for each location that exceeds obstruction standards. The proposals are identified as exceeding the obstruction standards of 14 CFR Part 77 as follows as applied to BAZ:

> 77.17 (a)(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23.

77.19 (a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation.

2025-ASW-4802-OE. Exceeds by 35 feet.

2025-ASW-4962-OE; Exceeds by 35 feet.

2025-ASW-4963-OE; Exceeds by 35 feet.

2025-ASW-4964-OE; Exceeds by 35 feet.

Part 77 obstruction standards are used to screen the many proposals submitted to identify those which warrant further aeronautical study. This study is conducted to determine if the proposal would have a significant adverse effect on protected aeronautical operations and airspace. While part 77 obstruction standards trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is not sufficient grounds for issuance of a determination of hazard to air navigation.

The proposal was not circularized for public comment as there is a water tower that is next to this property and in line between the airport and the proposal.

OAS # 48-005896, ASN 1988-ASW-149-OE 165 AGL / 920 MSL, 204 feet to the south

The structure is within the lateral boundaries of the traffic pattern airspace; however, it doesn't exceed height that would normally be considered adverse effect.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

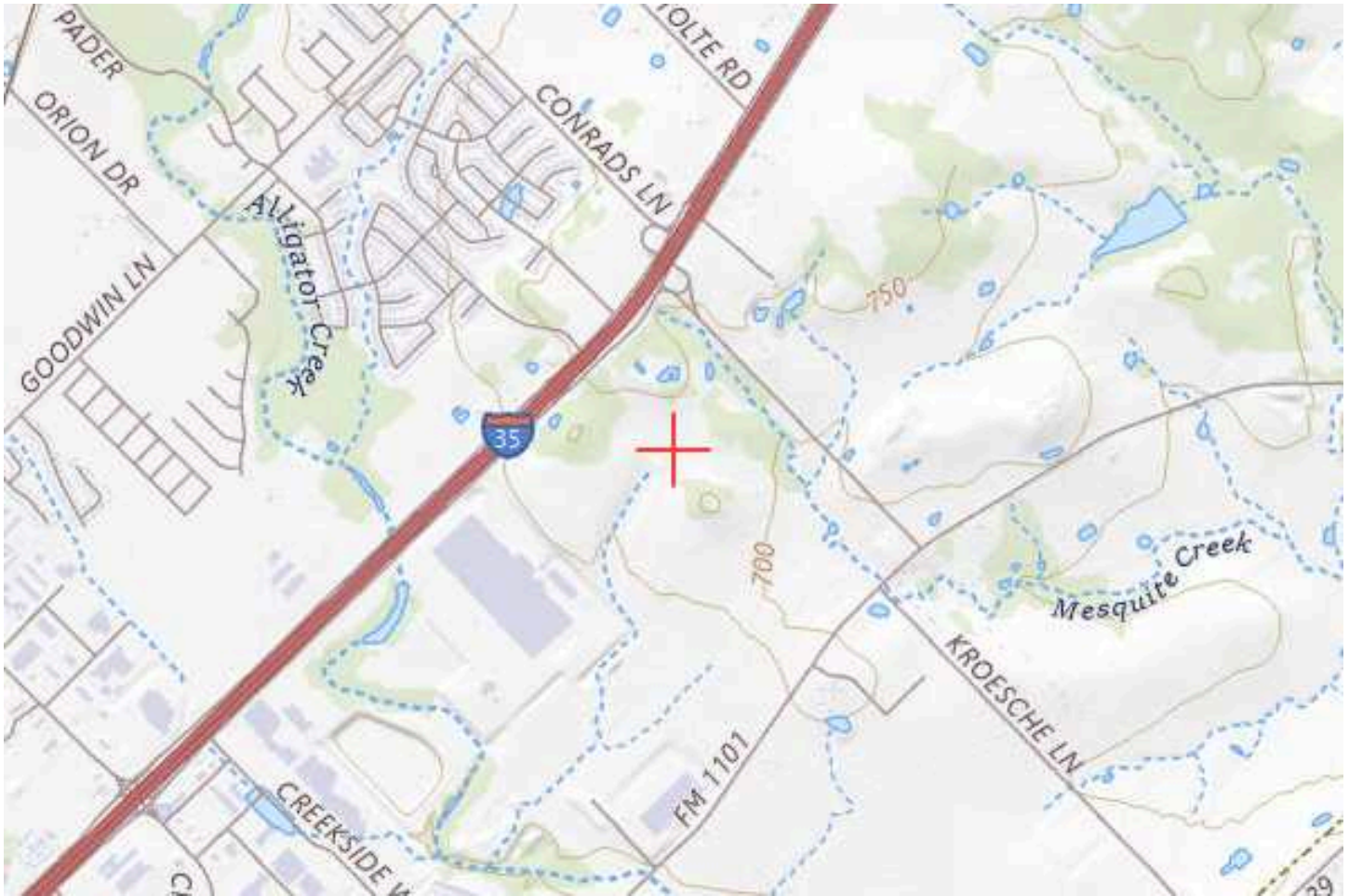
> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

> The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.

> The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

The cumulative impact of the proposed structure is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2025-ASW-4964-OE
Prior Study No.
2025-ASW-95-OE

Issued Date: 05/13/2025

Timothy Morris
Gulf States Engineering
600 Azalea Road
Mobile, AL 36609

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Commercial Use Building ASRS BC-4
Location:	New Braunfels, TX
Latitude:	29-44-29.14N NAD 83
Longitude:	98-03-23.80W
Heights:	729 feet site elevation (SE) 114 feet above ground level (AGL) 843 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

This determination expires on 11/13/2026 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

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An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact Chris Smith, at (817) 222-5928, or chris.smith@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2025-ASW-4964-OE.

Signature Control No: 654847859-659359841

(DNH)

Julie A. Morgan

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

A full list of acronyms and abbreviations is available at the FAA's public website at https://oeaaa.faa.gov/oeaaa/downloads/external/content/FAA_Acronyms.pdf

Part 77 - Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

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77.19 (a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation.

2025-ASW-4802-OE. Exceeds by 35 feet.

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The proposal was not circularized for public comment as there is a water tower that is next to this property and in line between the airport and the proposal.

OAS # 48-005896, ASN 1988-ASW-149-OE 165 AGL / 920 MSL, 204 feet to the south

The structure is within the lateral boundaries of the traffic pattern airspace; however, it doesn't exceed height that would normally be considered adverse effect.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

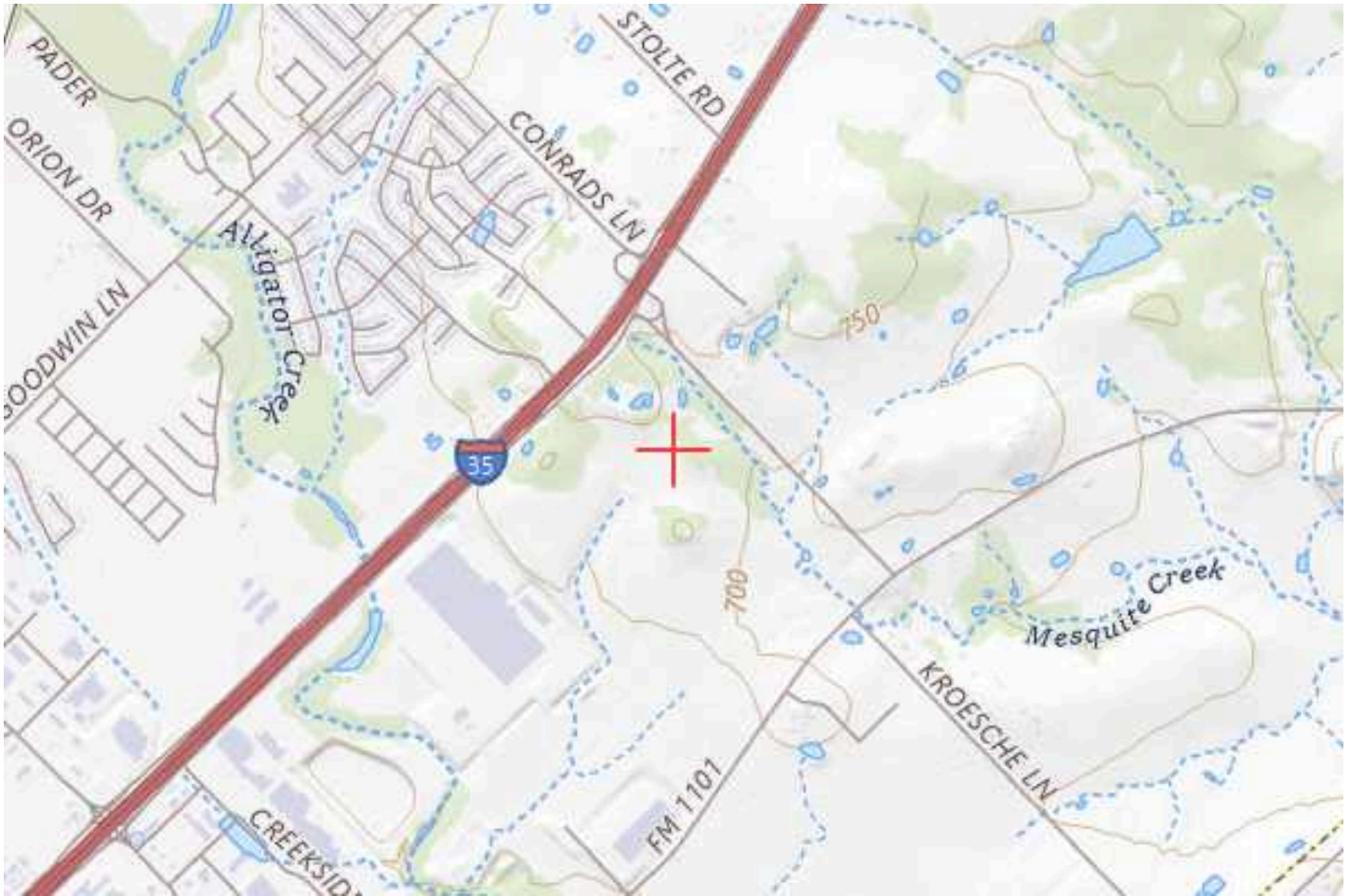
> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

> The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.

> The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

The cumulative impact of the proposed structure is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2025-ASW-4963-OE
Prior Study No.
2025-ASW-93-OE

Issued Date: 05/13/2025

Timothy Morris
Gulf States Engineering
600 Azalea Road
Mobile, AL 36609

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Commercial Use Building ASRS BC-3
Location:	New Braunfels, TX
Latitude:	29-44-29.84N NAD 83
Longitude:	98-03-24.59W
Heights:	729 feet site elevation (SE) 114 feet above ground level (AGL) 843 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

This determination expires on 11/13/2026 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

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An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

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If we can be of further assistance, please contact Chris Smith, at (817) 222-5928, or chris.smith@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2025-ASW-4963-OE.

Signature Control No: 654847850-659359839

(DNH)

Julie A. Morgan

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

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Part 77 - Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

Our study has disclosed that this proposed building, located approximately 2.22 nm northwest, is within the protected surfaces at NEW BRAUNFELS NTL Airport (BAZ), TX. Four (4) studies were filed for this proposal. All exceeded the FAA notice criteria and Part 77 obstruction standards as specified in 14 CFR Part 77. Each location was studied separately, and the narrative below provides the initial analysis for each location that exceeds obstruction standards. The proposals are identified as exceeding the obstruction standards of 14 CFR Part 77 as follows as applied to BAZ:

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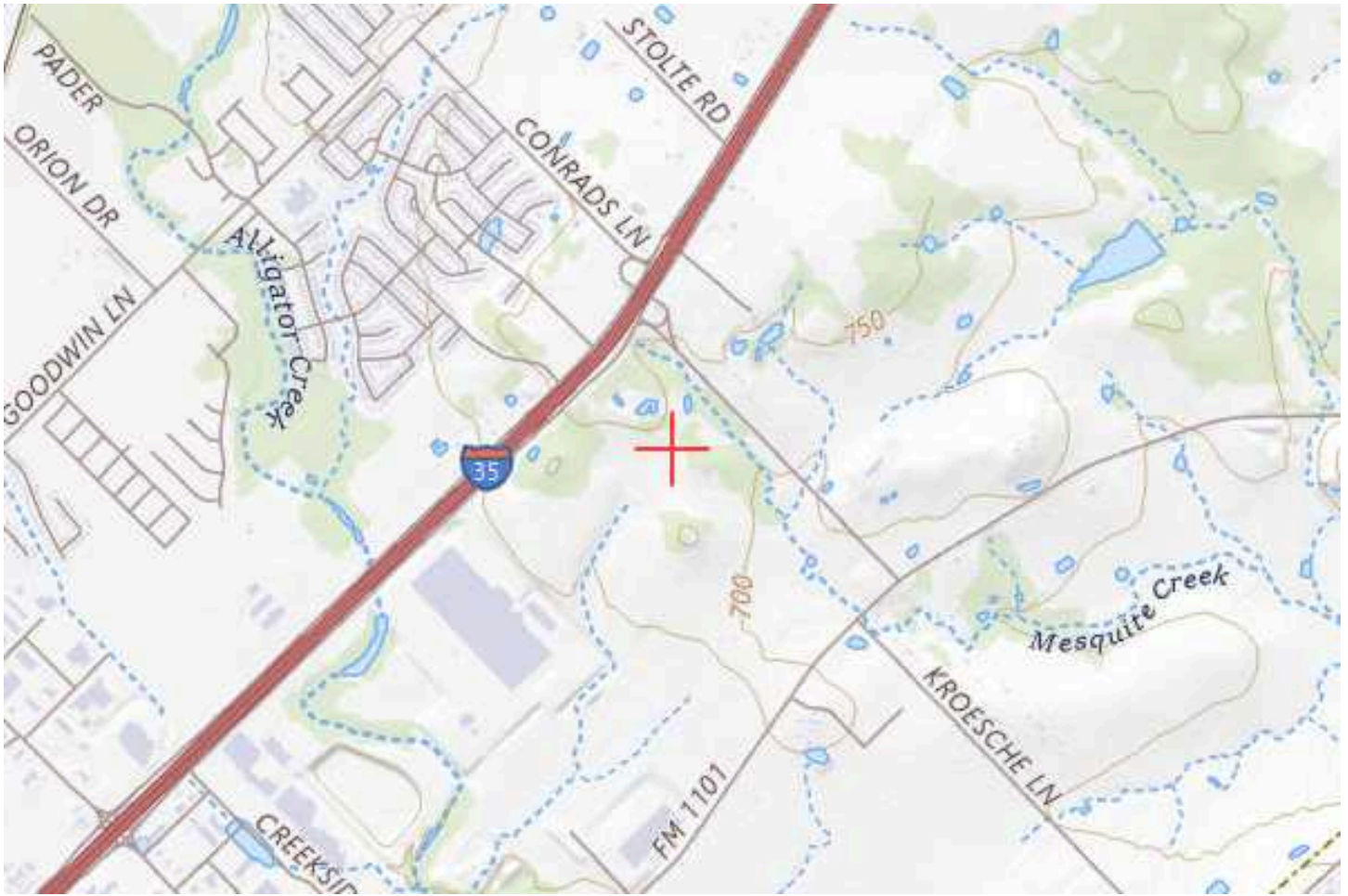
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The cumulative impact of the proposed structure is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

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Signature Control No: 654847847-659359840

(DNH)

Julie A. Morgan

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

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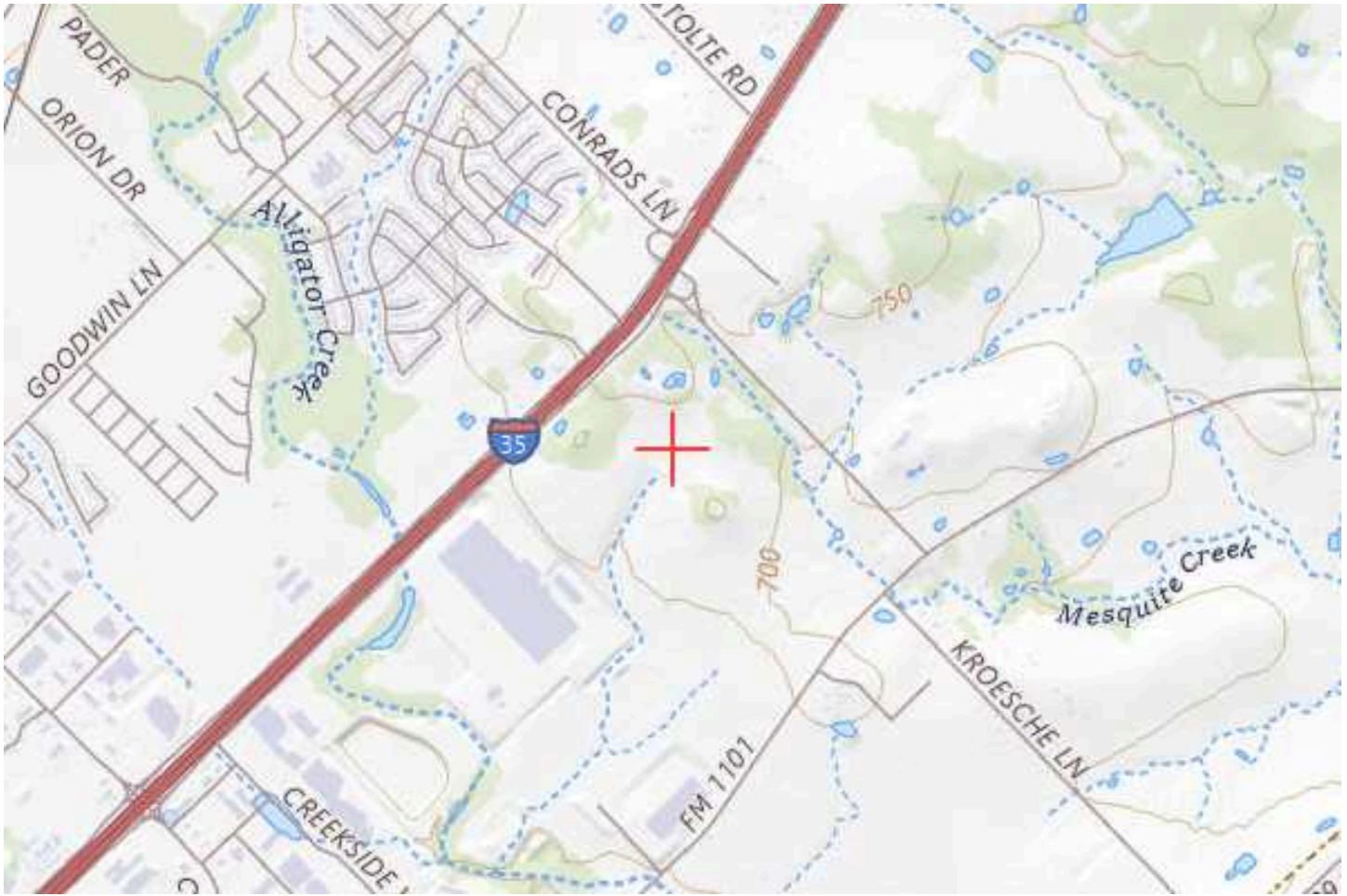
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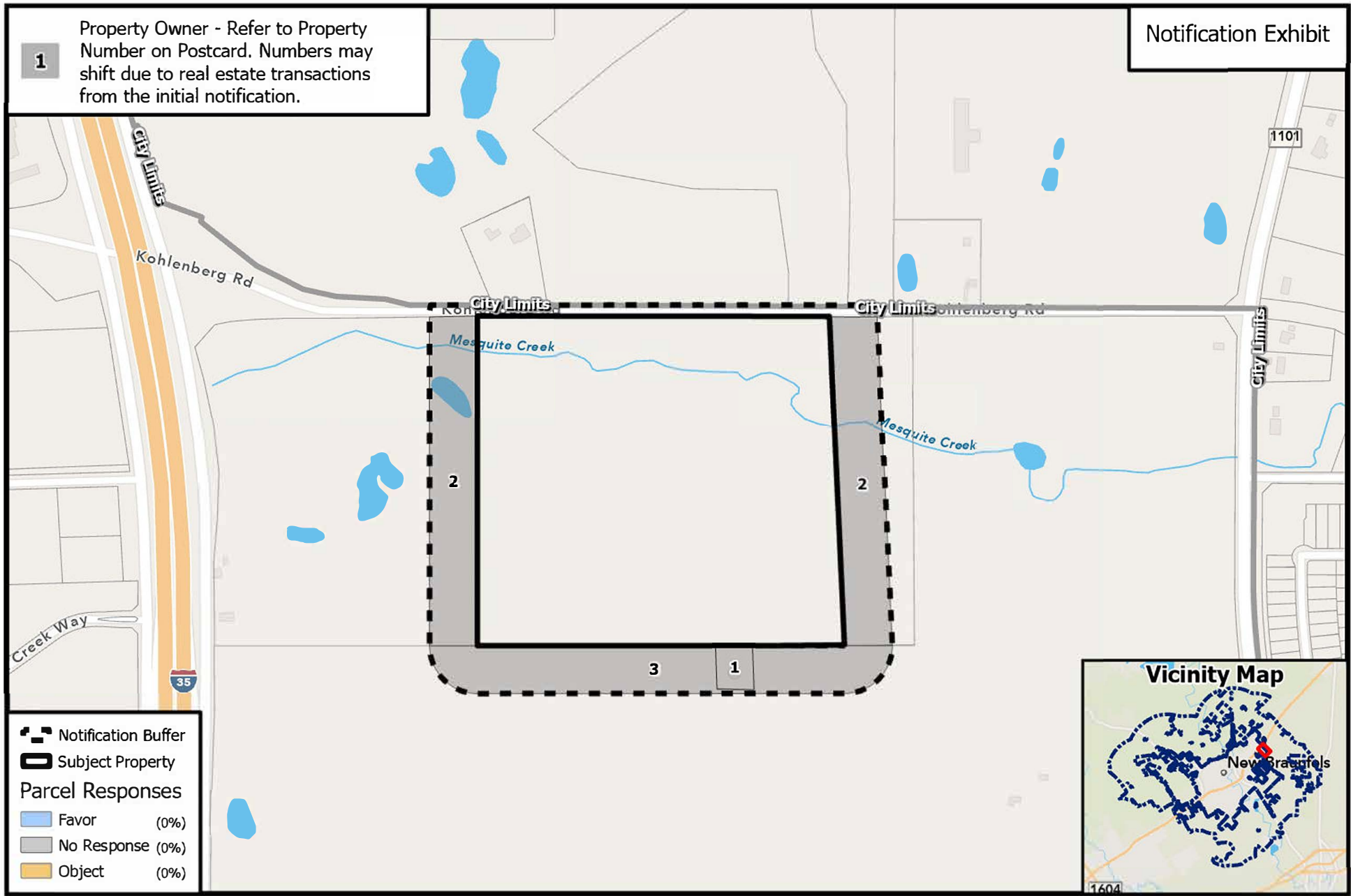
The cumulative impact of the proposed structure is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.









BOARD OF ADJUSTMENT – AUGUST 28, 2025 – 6:00PM

City Hall Council Chambers

Applicant: Stephanie Groves

Address/Location: 440 Kohlenberg Rd.

Case # ZB25-0010

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. NEW BRAUNFELS UTILITIES
2. WOHLFAHRT LYNN

3. FRUEHOLZ FREDERICK JR

SEE MAP

8/28/2025

Agenda Item No. B)

PRESENTER:**Applicant:** Greg Hirsch**Owners:** Dougal and Mignon Kenagy**SUBJECT:****ZB25-0013** Hold a public hearing and consider a request for 3 variances to allow a proposed accessory structure in the SND-1, "Special Neighborhood District-1," currently addressed at 645 Cross St, including:

1. a variance from Sec. 144-5.4 (d) to allow an accessory structure to occupy more than 30 percent of the rear yard, an increase by 2 percent, for a total of 32 percent coverage of the rear yard,
2. a variance from Sec.144-5.4 (e) to allow an accessory structure to exceed the height of the main dwelling by 4 feet, 5 ¼ inches, and
3. a variance from Sec.144-3.8 (b) (10) to allow a two-story accessory building to exceed the 1,000-square-foot size limit by 555 square feet for a total structure size of 1,555 square feet.

BACKGROUND RATIONALE:**Case #:** ZB25-0013**Owner Agent/Applicant:** Greg Hirsch, Williams-Hirsch Custom Builders, Inc., greg@williamshirsch.com**Owner:** Dougal and Mignon Kenagy, dougal@kenagy.net**Staff Contact:** Mary Lovell, (830) 221-4051, mlovell@newbraunfels.gov

The subject property is developed with a one-story 1,830-square-foot home constructed in 1921, and an addition built in 2015. The property also features a 420-square-foot detached shed/garage. The property is zoned "SND-1" Special Neighborhood District-1, and is surrounded by SND-1 zoning and single-family residences to the east, west, north, and south.

The applicant desires to demolish the 420-square-foot detached shed/garage in the backyard and replace it with one structure that will house a garage, family/game room, and guest accommodations. The lower-level family/game room, featuring a vaulted ceiling, is 556 square feet, with an adjoining 337-square-foot garage. Above the garage is a 337-square-foot guest bedroom and bathroom. There is no full kitchen in the structure, as it is not intended to be a permanent accessory dwelling unit. The accessory structure will also feature a covered patio.

To build the proposed structure, the applicant is requesting the following:

- a) Variance from Sec. 144-5.4 (d) to allow an accessory structure to occupy more than 30 percent of the rear yard, an increase by 2 percent, for a total of 32 percent coverage of the rear yard.
- b) Variance from Sec.144-5.4 (e) to allow an accessory structure to exceed the height of the main dwelling by 4 feet, 5 ¼ inches.
- c) Variance from Sec.144-3.8 (b) (10) to allow a two-story accessory building to exceed the 1,000-square-foot size limit by 555 square feet for a total structure size of 1,555 square feet.

Section 2.2-2(a) of the Zoning Ordinance states the Board of Adjustment may authorize a variance from the zoning regulations only upon finding 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 narrow lot width (50 feet), the 100-year-old existing home, a 30-inch diameter pecan tree in the rear yard, and the deteriorating detached shed create constraints that prevent reasonable expansion of the main house. These conditions make strict adherence to the zoning requirements difficult and have created the need for variances), **and**
- 2) That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;** (The applicant states that vertical expansion of the existing home is not feasible due to its age and structural limitations. The narrow lot and large rear pecan tree prevent lateral expansion. The proposed accessory structure allows the owners to gain essential living and functional space (garage, family/game room, guest accommodations) while preserving the integrity of the historic home), **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 granting of the variances will not harm the surrounding properties or the general public. The building will be constructed to meet all safety and building codes and will meet all required setbacks in the SND-1 zoning district), **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 granting the variance will not prevent neighboring properties from being used in accordance with the SND-1 district regulations. The proposed structure is designed to be compatible with surrounding residences and is unlikely to be visible from the street due to the existing home and mature trees), **and**
- 5) That an undue hardship exists;** (The applicant identifies several hardships: the narrow lot, the historic home which cannot be expanded, the deteriorating detached shed/garage, and the 30-inch diameter pecan tree in the rear yard, all restricting the ability to provide a functional accessory space within the zoning limits. The applicant states that the current code is highly restrictive regarding accessory structures, and the applicant points to the code update that will reduce restrictions placed on accessory buildings and dwellings, which often require homeowners to request variances for practical accessory structures and home improvements that provide more livability and enjoyment of their property), **and**
- 6) That the granting of a variance will be in harmony with the spirit and purpose of these regulations.** (The applicant states that the design of the accessory structure preserves the historic character of the home and neighborhood, using matching siding, trim, and roofing materials. Windows that face neighboring yards are minimized, and the structure's scale and placement respect the neighborhood context. The applicant's design ensures that granting the requested variances is in keeping with the intent of the zoning regulations. Keeping a low ceiling in the new garage and placing the bedroom and bathroom above it minimizes the overall height and footprint of the new structure.)

GENERAL INFORMATION:

Size:

Lot area: 8,100 square feet

Lot depth: 162-165 feet

Lot width: 50 feet

Variance Request Due to Notice of Violation:

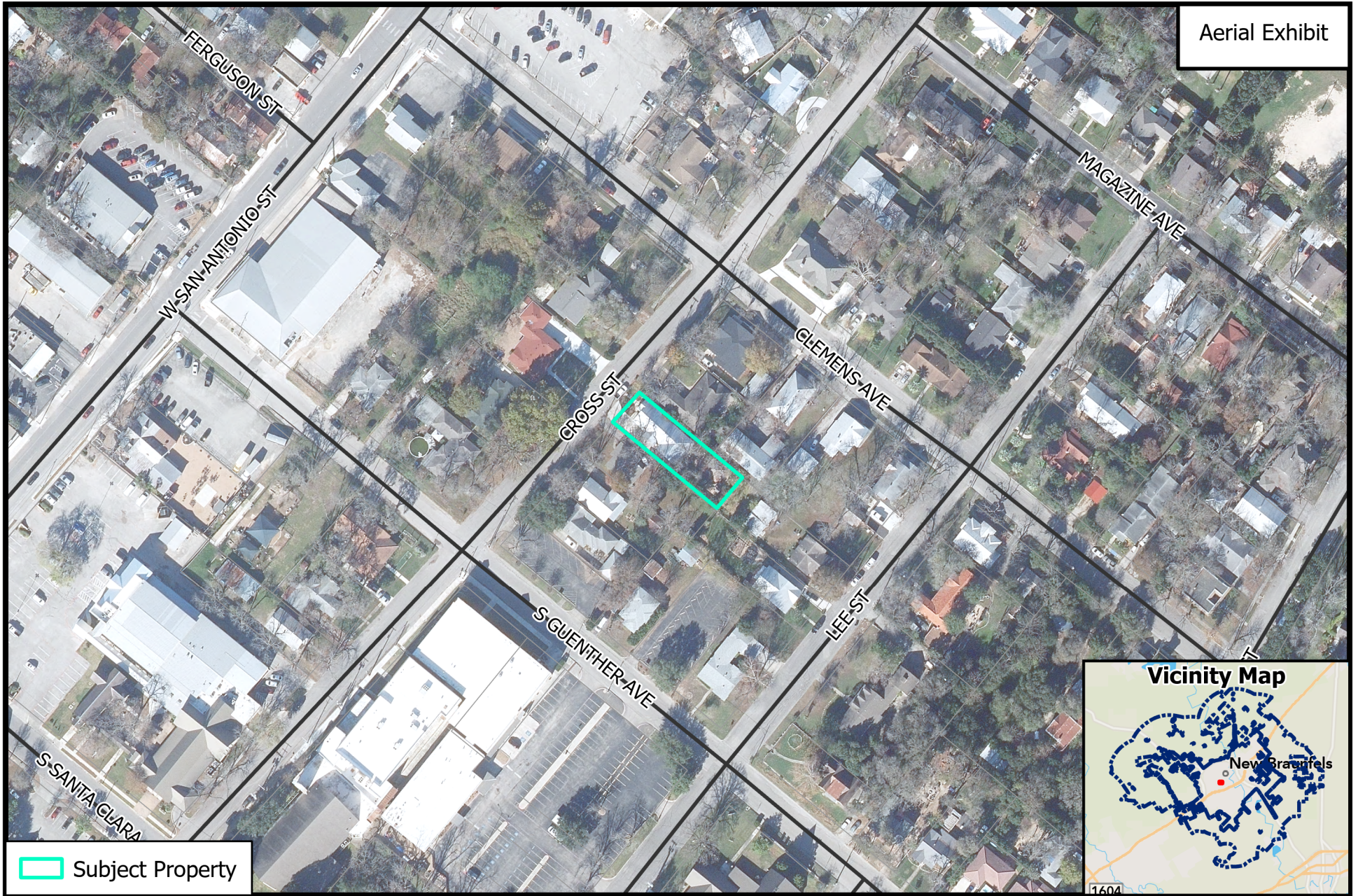
No

Surrounding Zoning and Land Use:

North, South East & West - SND-1, Single-family residences

Notification

Public hearing notices were sent to 15 owners of property within 200 feet of the subject property. To date, staff has received no responses in opposition.



Aerial Exhibit

Vicinity Map

New Braunfels

1604

Subject Property



ZB25-0013 Variances

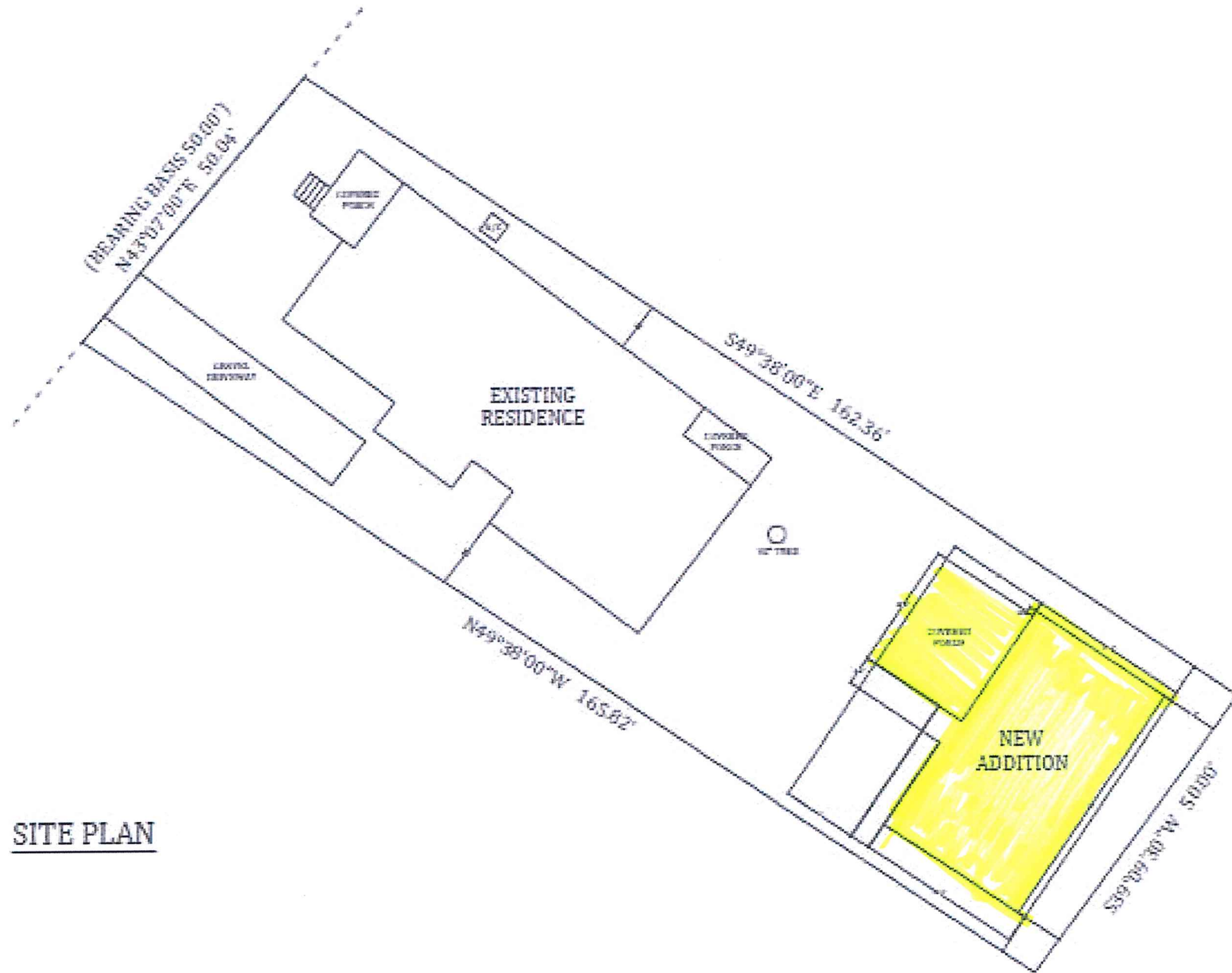
0 90 180
Feet

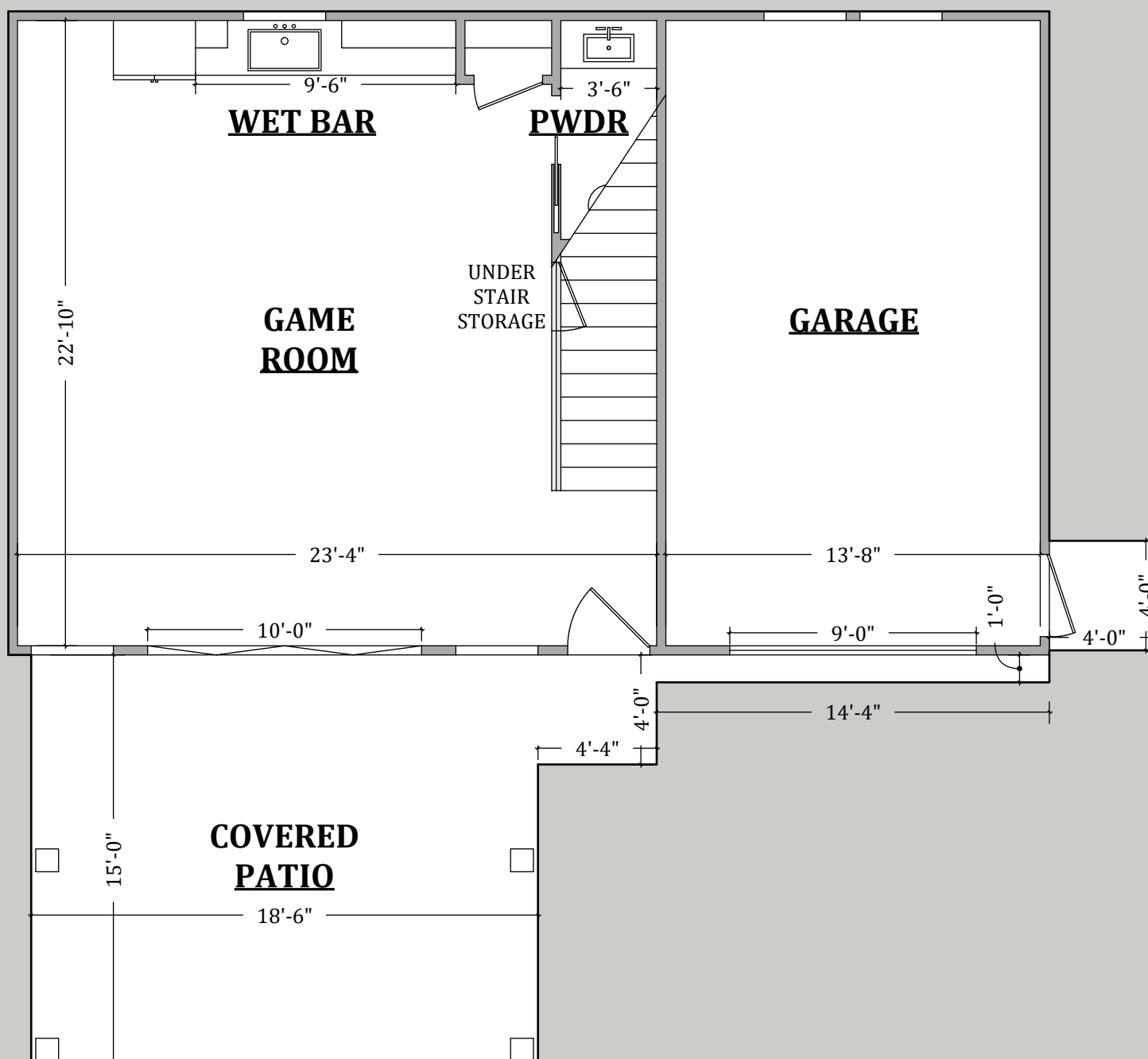
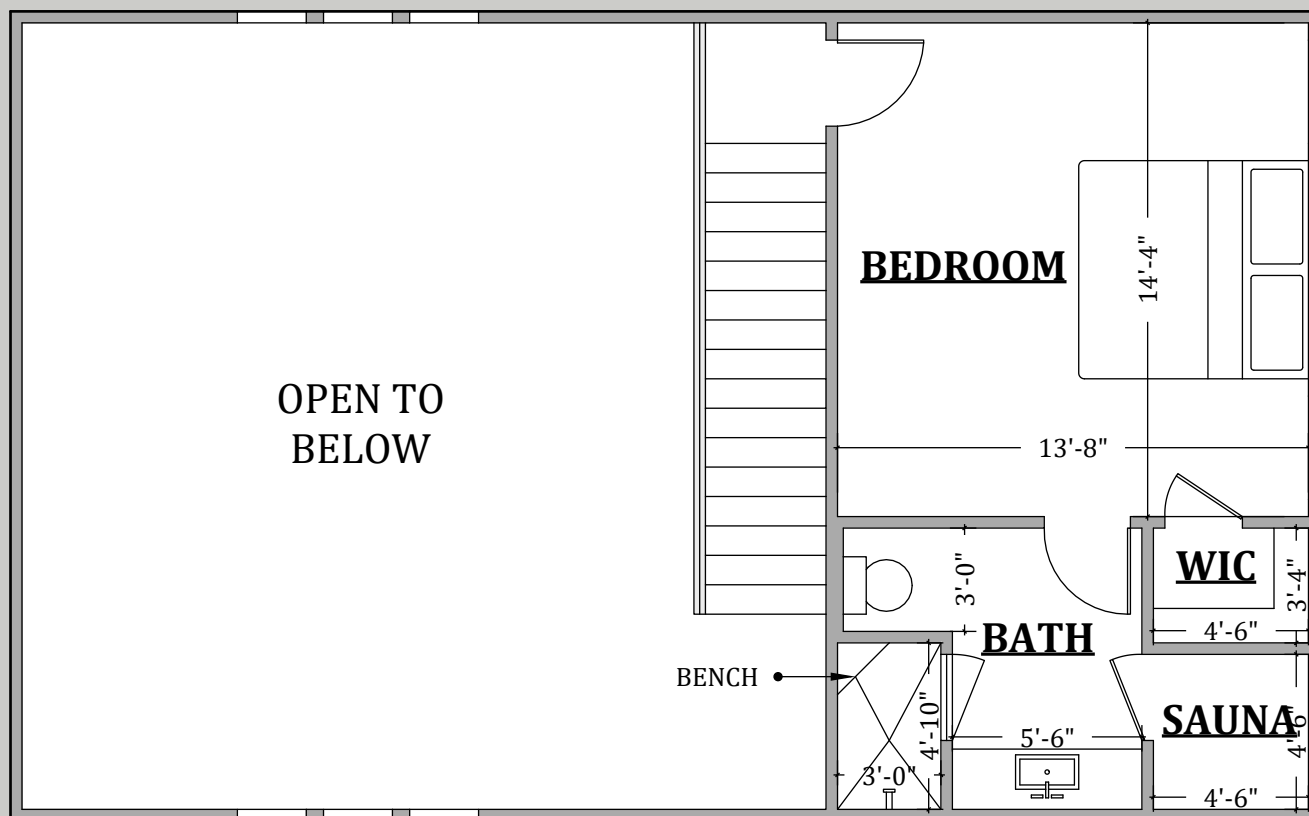


Path:
P:\BOA\2025 Cases\ZB25-0013 - 645 Cross St - Height, Area Variance in

Source: City of New Braunfels Planning
Date: 8/12/2025

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 officials or employees for any discrepancies, errors, or variances which may exist.

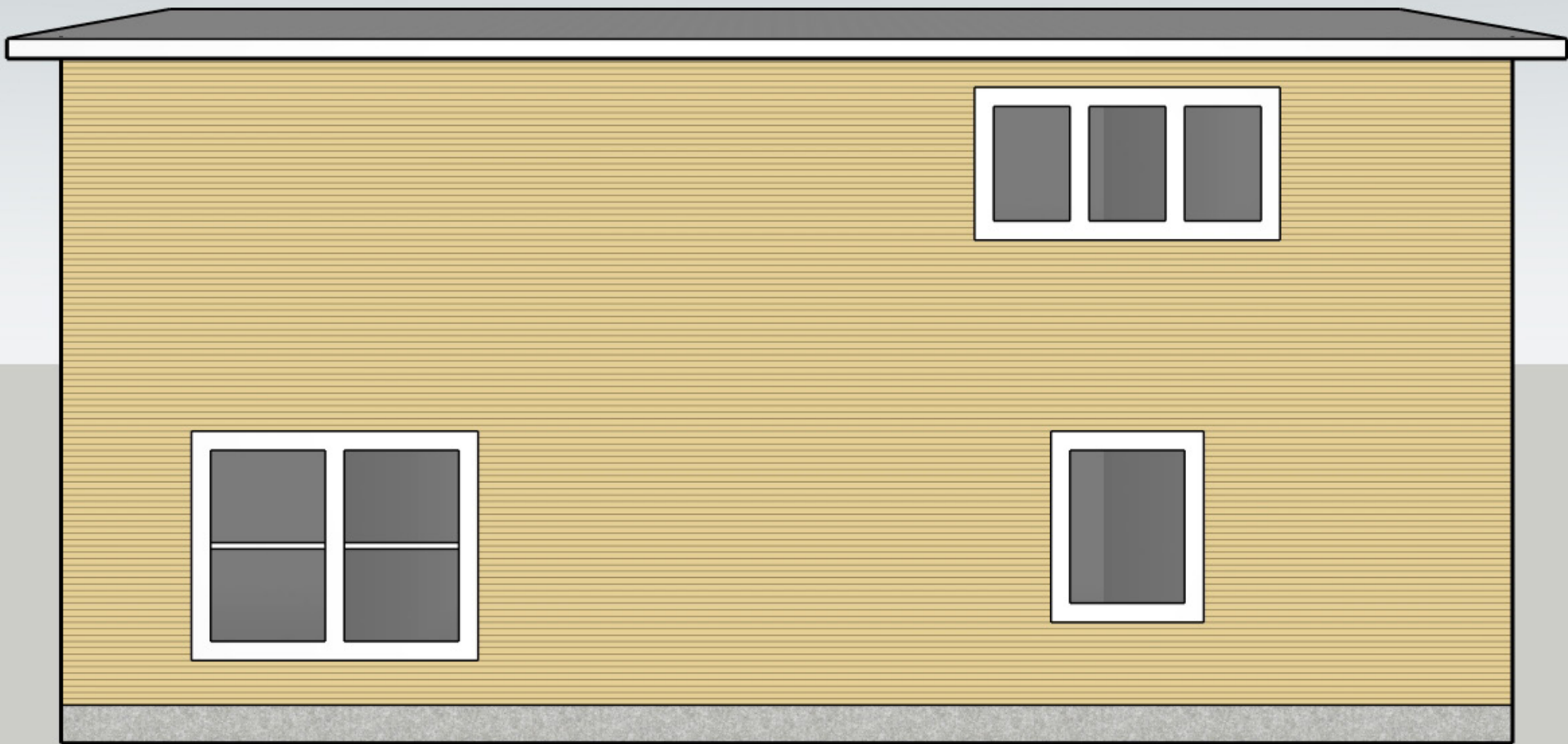




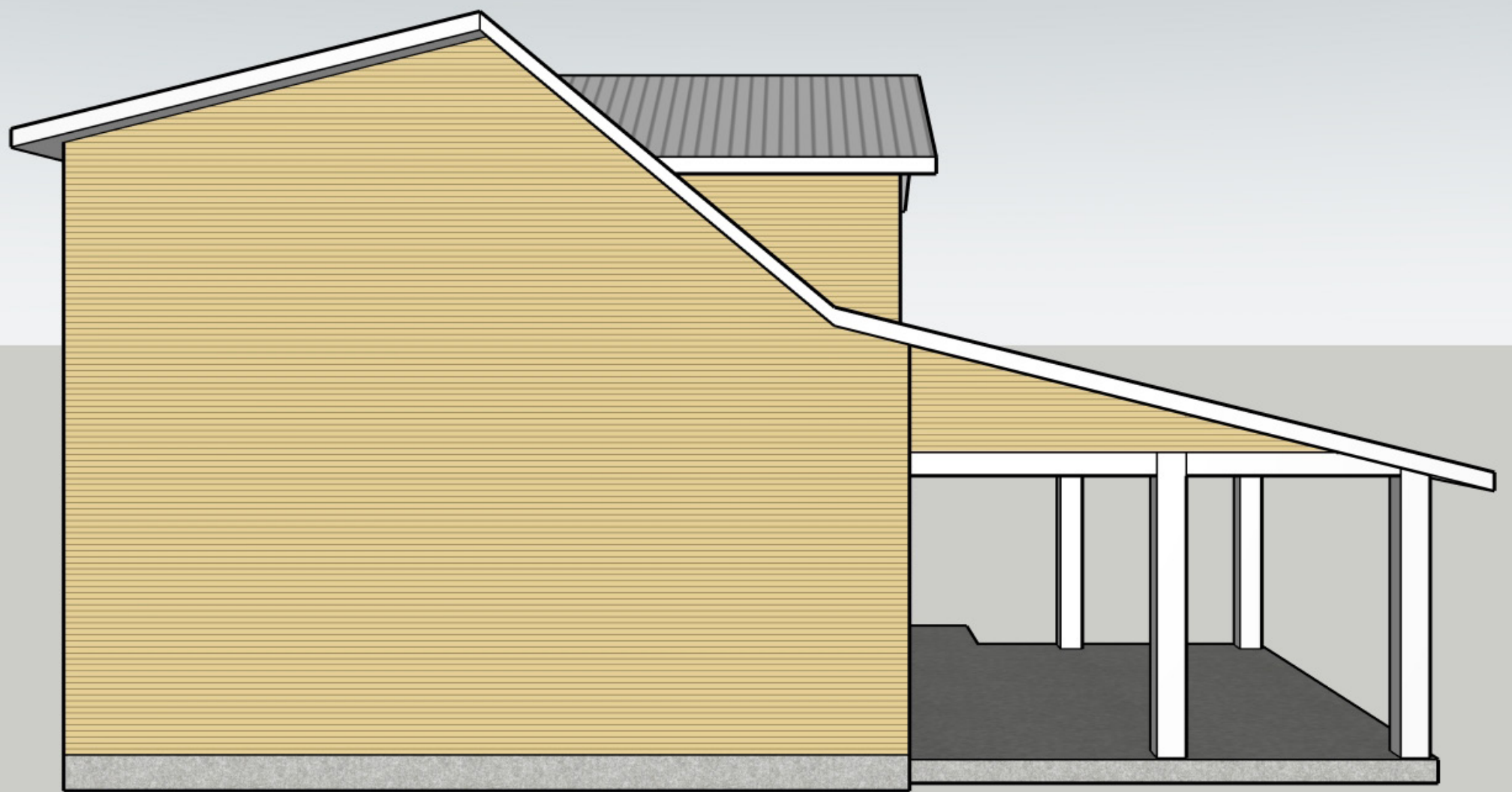
LOWER LEVEL: 556 SF
UPPER LEVEL: 337 SF
TOTAL LIVING: 893 SF
GARAGE: 337 SF
TOTAL: 1230 SF
CONCRETE: 325 SF



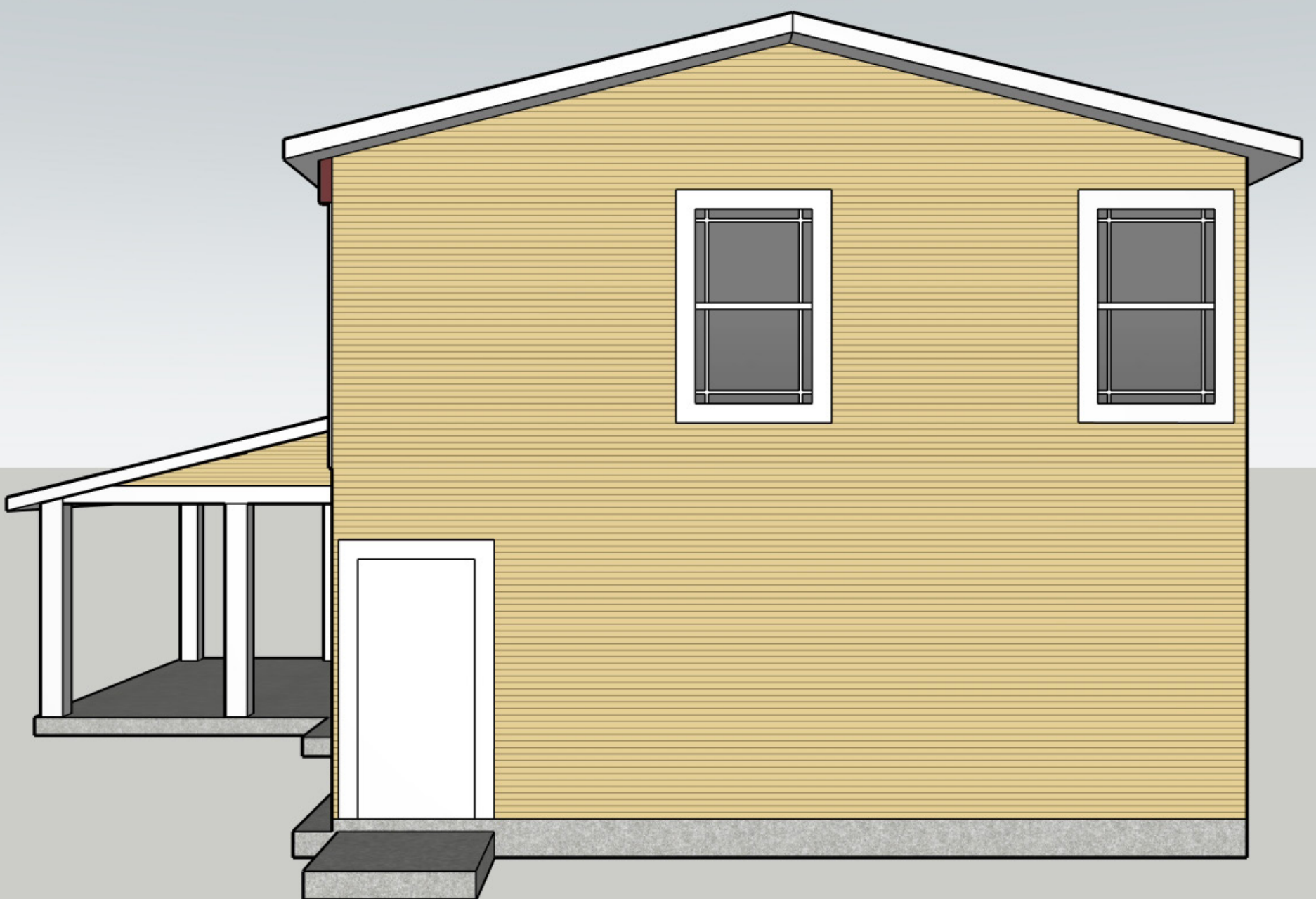
Front Elevation



Rear Elevation



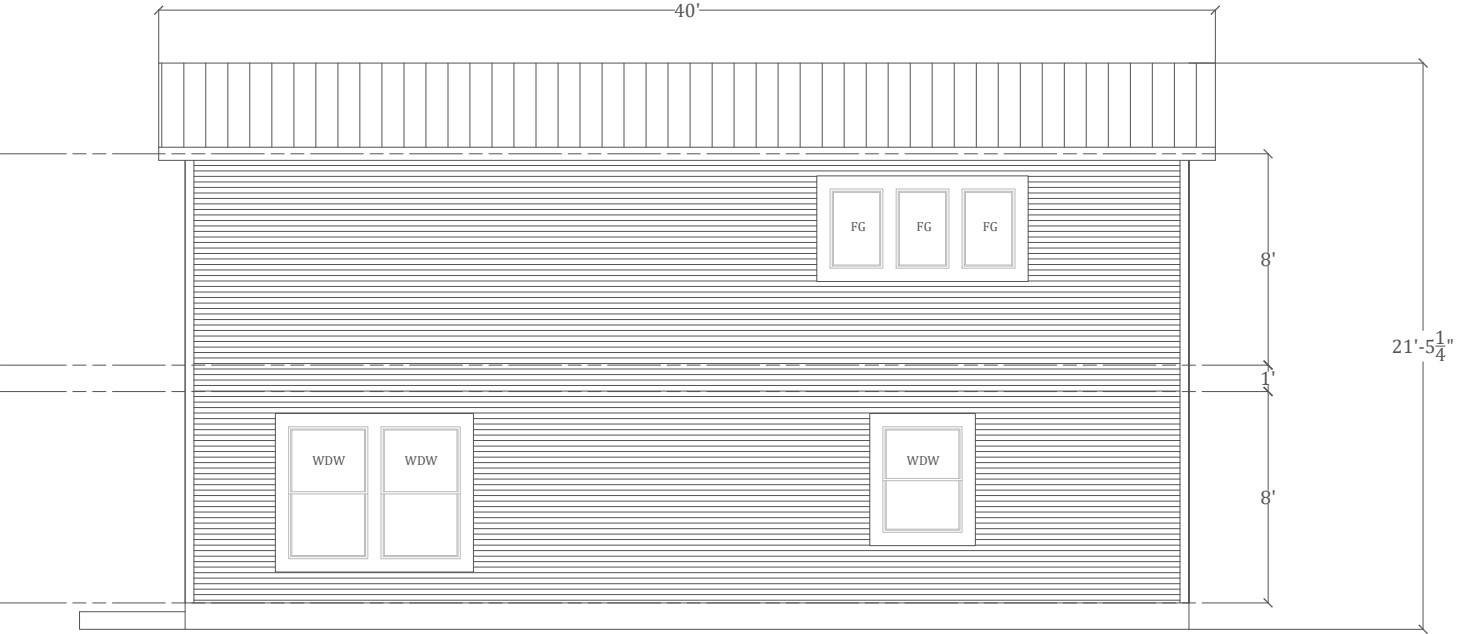
Left Elevation



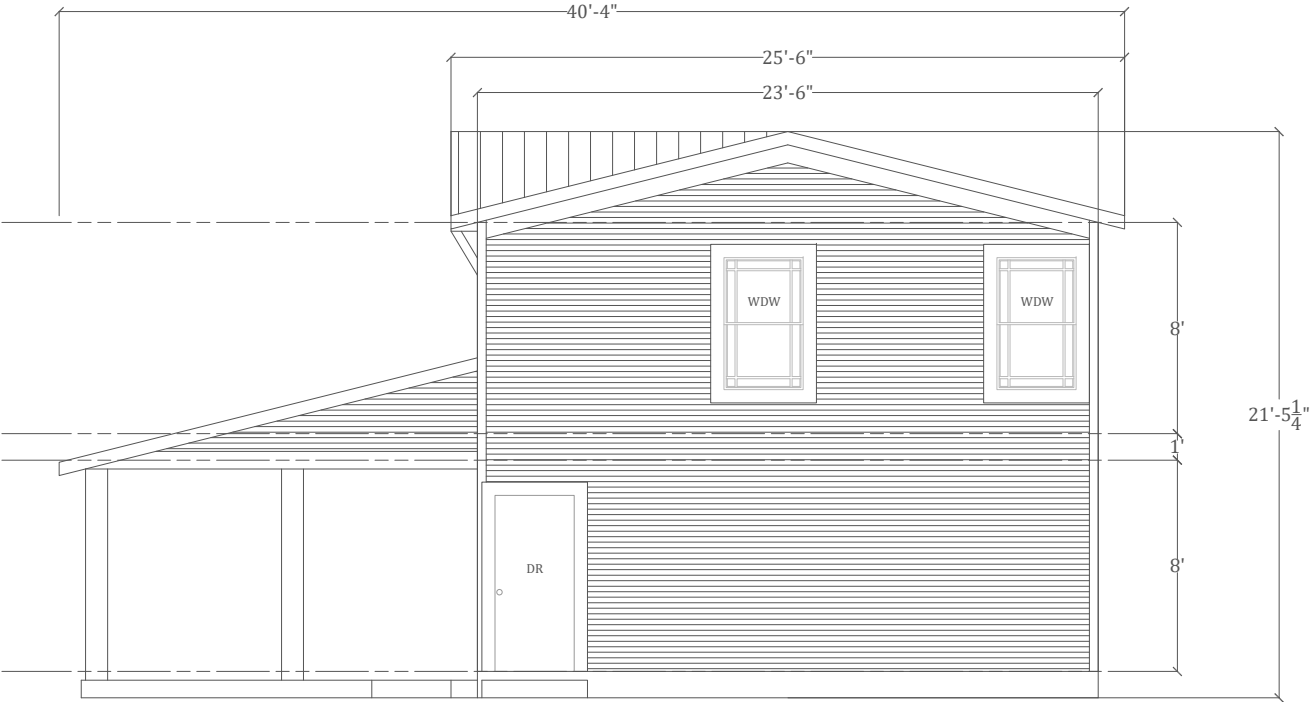
Right Elevation



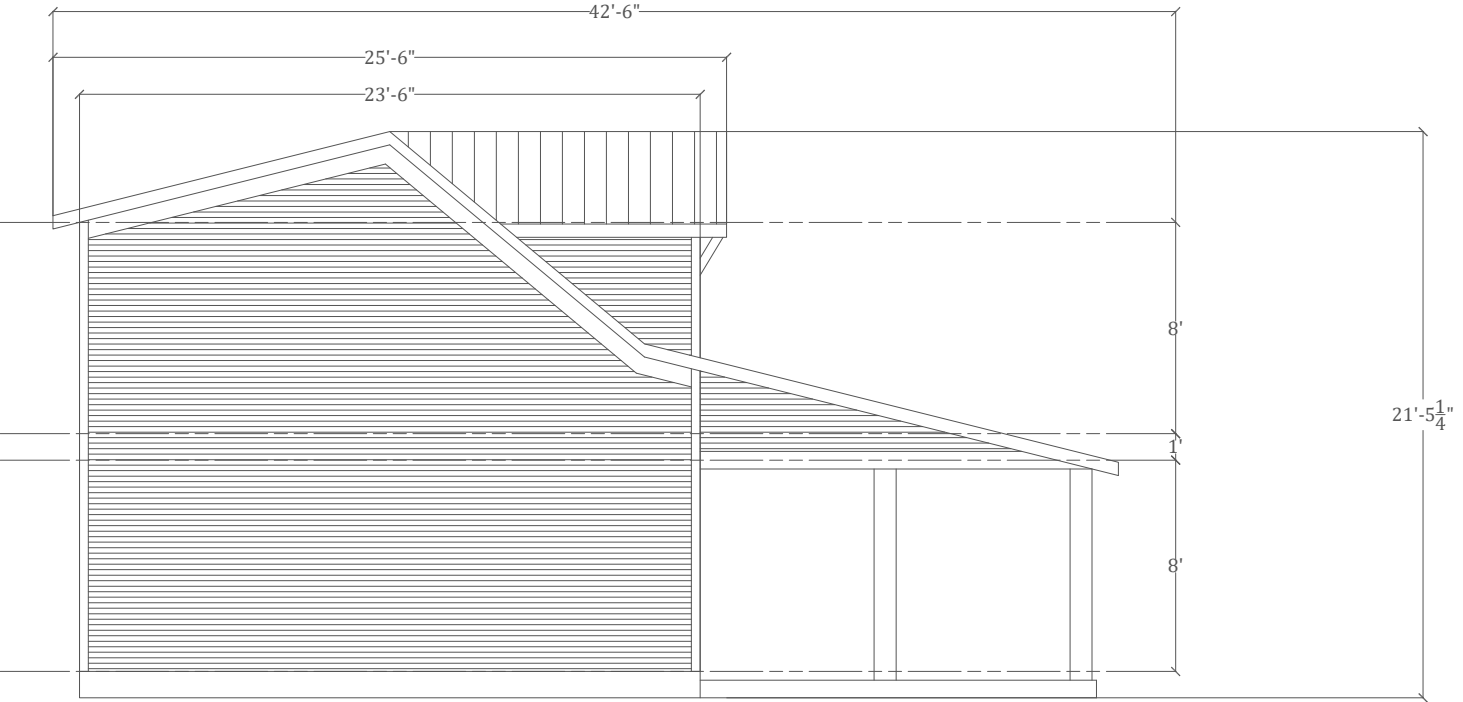
FRONT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



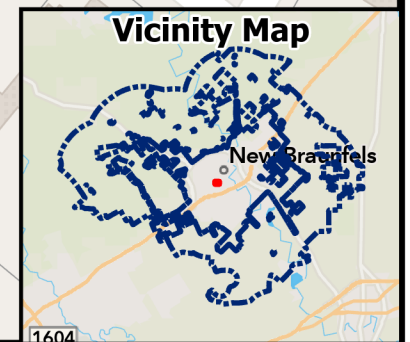
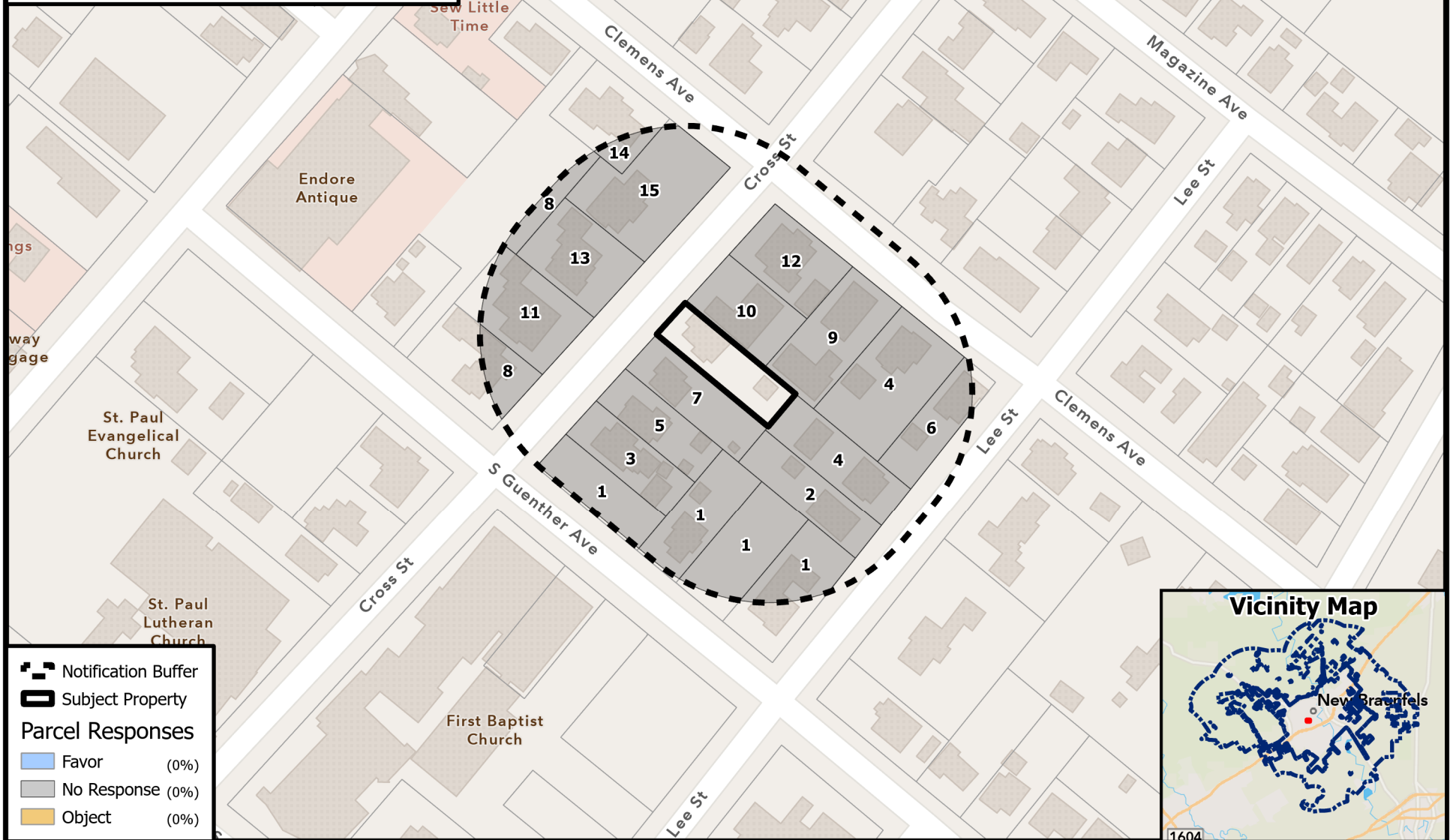
LEFT ELEVATION



1

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

Notification Exhibit



ZB25-0013 Variances

0 90 180
Feet



Path: P:\BOA\2025 Cases\ZB25-0013 - 645 Cross St - Height, Area Variance in

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BOARD OF ADJUSTMENT – AUGUST 28, 2025 – 6:00PM

City Hall Council Chambers

Applicant: Greg Hirsch

Address/Location: 645 Cross St

Case # ZB25-0013

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. FIRST BAPTIST CHURCH OF NB | 9. GREEBON GREGG |
| 2. MILLER DUSTIN P | 10. JAROSZEWSKI MICHAEL S & KATHLEEN |
| 3. LEBLANC JOSHUA & CHERYL R | 11. KIMERY ASHLEY M & JAMES G |
| 4. GREEBON PROPERTIES LLC | 12. RENTALS & REAL ESTATE LLC |
| 5. ESTRADA JOAQUIN & TRACIE BENDELE | 13. RABE RICHARD LEE |
| 6. ROSENWALD VICTORIA J | 14. TRES PESOS LLC |
| 7. DOYLE FRANCIS W & MARGARET J RVCBL
LVNG TRST | 15. N/A 1 |
| 8. SEALS FAMILY PROPERTIES LLC | |

SEE MAP