

**ORDINANCE NO. 2022-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.44 OF AN ACRE OF LAND, BEING A PORTION OF LOTS 8, 9, AND 10, NEW CITY BLOCK 5102, ADDRESSED AT 243 E. TORREY STREET, FROM “M-1” LIGHT INDUSTRIAL DISTRICT TO “R-2A” SINGLE-FAMILY AND TWO-FAMILY DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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**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 “R-2A” Single-Family and Two-Family District, the City Council has given due consideration to all components of said district; and

**WHEREAS**, it is the intent of the City 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 0.44 of an acre of land, being a portion of Lots 8, 9 and 10, New City Block 5102, addressed at 243 E. Torrey Street from “M-1” Light Industrial District to “R-2A” Single-Family and Two-Family 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 “M-1” Light Industrial District to “R-2A” Single-Family and Two-Family District:

Approximately 0.44 of an acre being a portion of Lots 8, 9 and 10, New City Block 5102, addressed at 243 E. Torrey Street, as delineated on Exhibit “A” and described in Exhibit “B”, attached.

**SECTION 2**

**THAT** all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

**SECTION 3**

**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 4**

**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 27<sup>th</sup> day of June, 2022.

**PASSED AND APPROVED:** Second reading this 11<sup>th</sup> day of July, 2022.

**CITY OF NEW BRAUNFELS**

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**RUSTY BROCKMAN**, Mayor

**ATTEST:**

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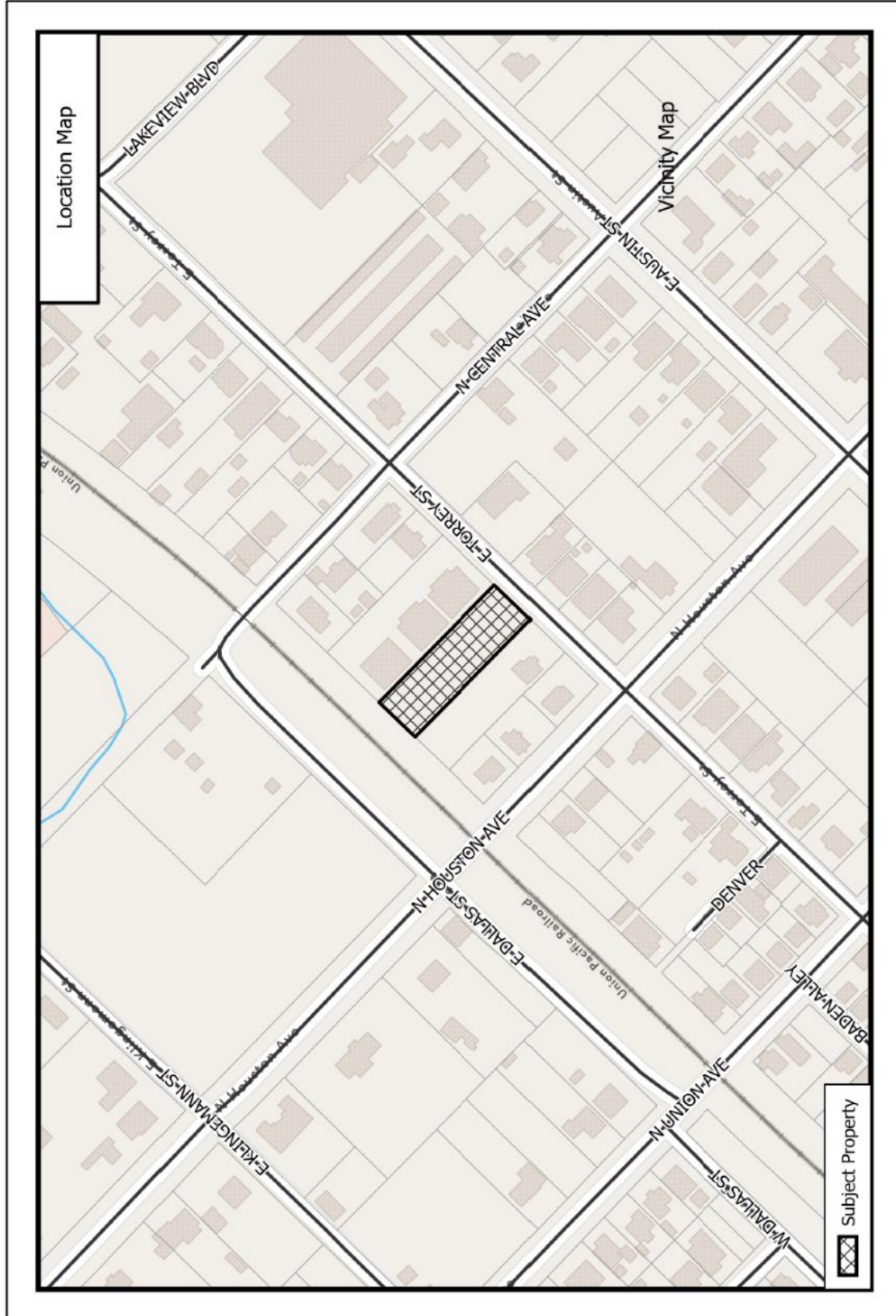
**GAYLE WILKINSON**, City Secretary

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO**, City Attorney

# EXHIBIT "A"



**PZ22-0173**  
**Zone Change: M-1 to R-2A**

Source: City of New Braunfels Planning  
 Date: 5/20/2022



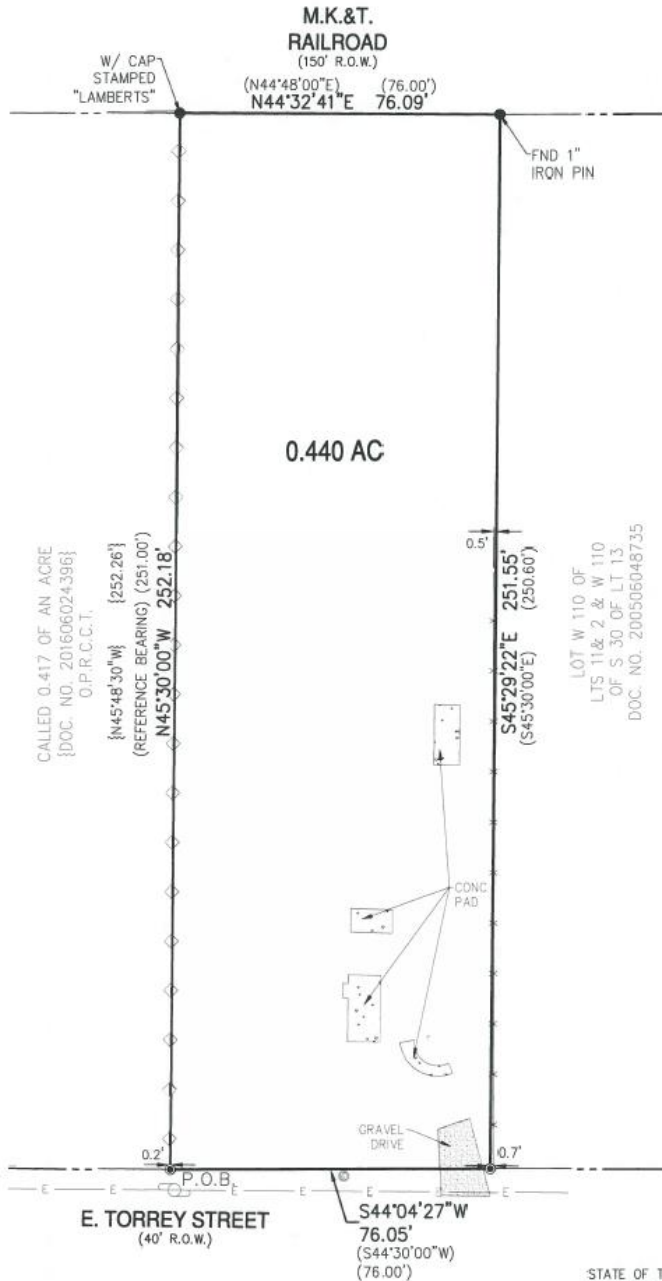
Path: \\cfs-1\Departments\Planning\ZoneChange-SUP-Rep\p\2022\p22-0173 - Mills - 243

# EXHIBIT "B"

BEING 0.440 ACRES OF LAND, BEING A PORTION OF LOTS 8, 9 AND 10,  
NEW CITY BLOCK 5102, CITY OF NEW BRAUNFELS, RECORDED IN  
VOLUME 911, PAGE 242, OFFICIAL PUBLIC RECORDS, COMAL  
COUNTY, TEXAS.

## LEGEND:

- = FND 1/2" IRON PIN  
UNLESS OTHERWISE NOTED
- ⊙ = FND 1" IRON PIPE
- B.L. = BUILDING SETBACK LINE
- U.E. = UTILITY EASEMENT
- D.E. = DRAINAGE EASEMENT
- R.O.W. = RIGHT-OF-WAY
- ( ) = PLAT CALLS
- [ ] = CONCRETE
- [ ] = GRAVEL
- X— = HOG WIRE FENCE
- ◇— = CHAIN LINK FENCE
- E— = OVERHEAD ELECTRIC
- ⊙ = CLEAN OUT
- ⊙ = POWER POLE
- P.O.B. = POINT OF BEGINNING



SCALE: 1"=30'

REFERENCE ALAMO TITLE COMMITMENT,  
OF #SAT-14-4000141701157-SH,  
EFFECTIVE DATE 10/31/17

FENCES SHOWN HEREON ARE GRAPHIC  
ONLY, WITH DIMENSIONAL TIES SHOWN  
AT SPECIFIC LOCATIONS WHERE THEY  
WERE PHYSICALLY MEASURED. THE  
FENCE LINE MAY MEANDER BETWEEN  
SAID MEASURED LOCATIONS. THE  
DIMENSIONS SHOWING THE DISTANCE  
BETWEEN THE FENCE AND THE  
PROPERTY LINE ALSO INDICATES WHICH  
SIDE OF THE PROPERTY LINE THE FENCE  
IS ON.

REFERENCE METES AND BOUNDS  
PREPARED THIS SAME DATE.



243 E. TORREY ST  
NEW BRAUNFELS, TEXAS

THIS SURVEY IS CERTIFIED TO:  
DAVID MILLS, RANDAL SMITH &  
ALAMO TITLE

STATE OF TEXAS  
COUNTY OF COMAL

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS  
SURVEY 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 EVIDENCE OF BUILDINGS, STRUCTURES AND OTHER  
IMPROVEMENTS SITUATED ON THE ABOVE PREMISES ARE SHOWN

THIS 3RD DAY OF NOVEMBER, 2017

MARK F. CONLAN  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6342

17-1218



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