

ORDINANCE NO. 2018-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS GRANTING A TYPE 2 SPECIAL USE PERMIT TO ALLOW SHORT TERM RENTAL OF A SINGLE FAMILY DWELLING IN THE "C-3" COMMERCIAL DISTRICT, ON LOT 8, CITY BLOCK 1073, ADDRESSED AT 123 WEST MERRIWEATHER 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 Lot 8, City Block 1073, addressed at 123 West Merriweather Street, to allow the short term rental of a single family dwelling in the "C -3" Commercial 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:

"Being Lot 8, City Block 1073, addressed at 123 West Merriweather Street, as delineated in the attached Exhibit 'A', to allow the short term rental of a single family dwelling in the "C-3" Commercial District."

SECTION 2

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

1. The residential character and appearance of the building must be maintained.
2. The property will remain in compliance with the approved site plan attached as Exhibit 'B'. Any significant changes to the site plan will require a revision to the SUP
3. The maximum occupancy of the short term rental is limited to 6 guests.

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 of same.

PASSED AND APPROVED: First Reading this the 25th day of June, 2018.

PASSED AND APPROVED: Second Reading this the 9th day of July, 2018.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney



PZ-18-011
123 W. Merriweather St.
SUP for Short Term Rentals in the C-3 District

Map Created 5/15/18

LEGEND:

COVERED CONCRETE
WATER METER BOX
ELECTRIC METER
EDGE OF PAVEMENT
POWER POLE
OVERHEAD UTILITIES
MAILBOX
AIR CONDITIONER
CHAINLINK FENCE
WIRE FENCE
FOUND 1/2" REBAR

Scale: 1" = 20'

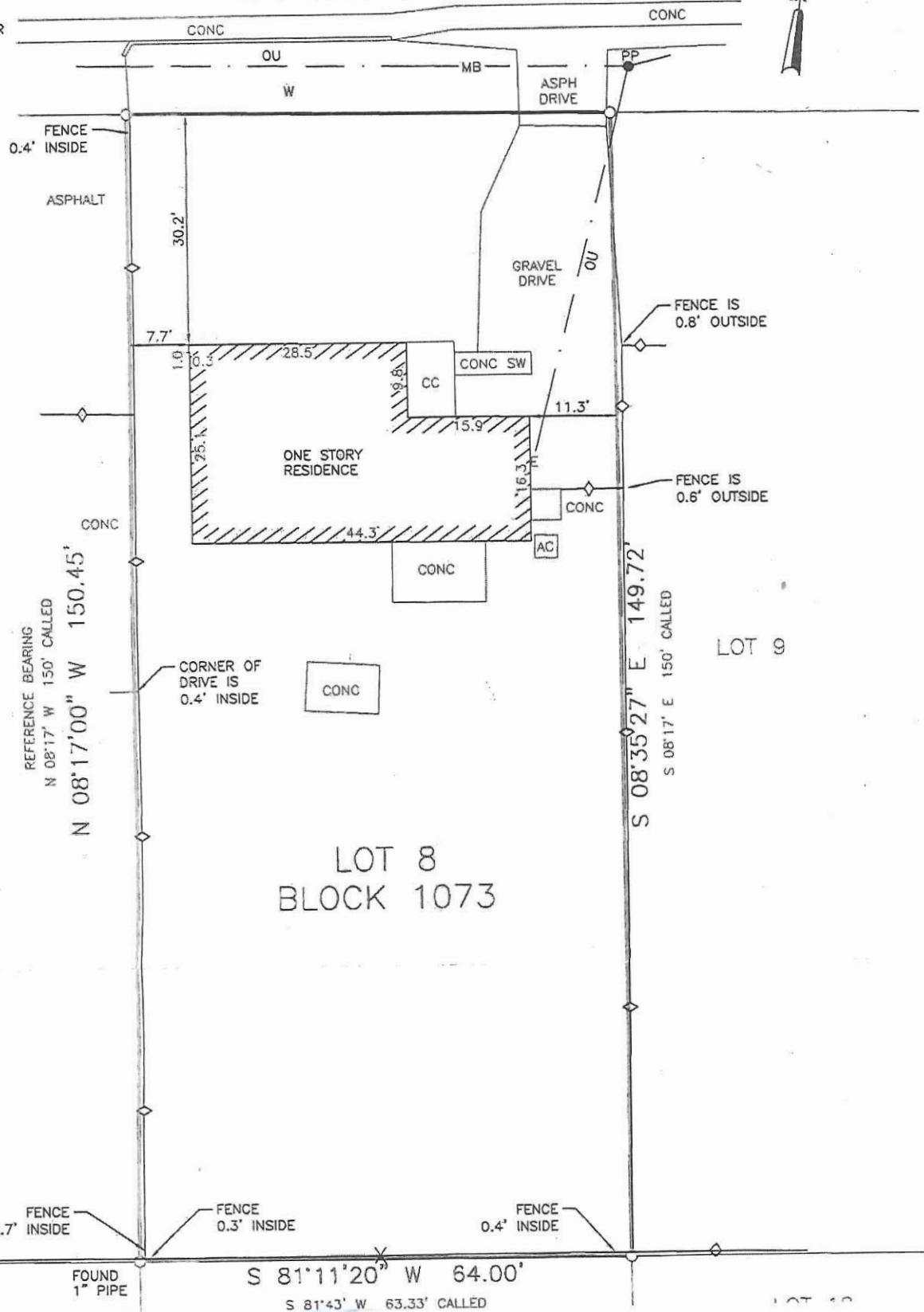
MERRIWEATHER ST.

60' R.O.W.

N 81°43' E 63.33' CALLED
N 81°50'33" E 63.20'



EP
PP
OU
MB
AC



SITE PLAN

EXHIBIT 'B'