

PLANNING COMMISSION – August 7, 2018
City Hall Council Chambers, 550 Landa Street

Address/Location: 1938 FM 1044 (Legal Description: 9.33 acres out of the J Thomson Survey No. 21, Abstract-608)

Applicant: Paul Williams, agent for Ronald Wolfahrt

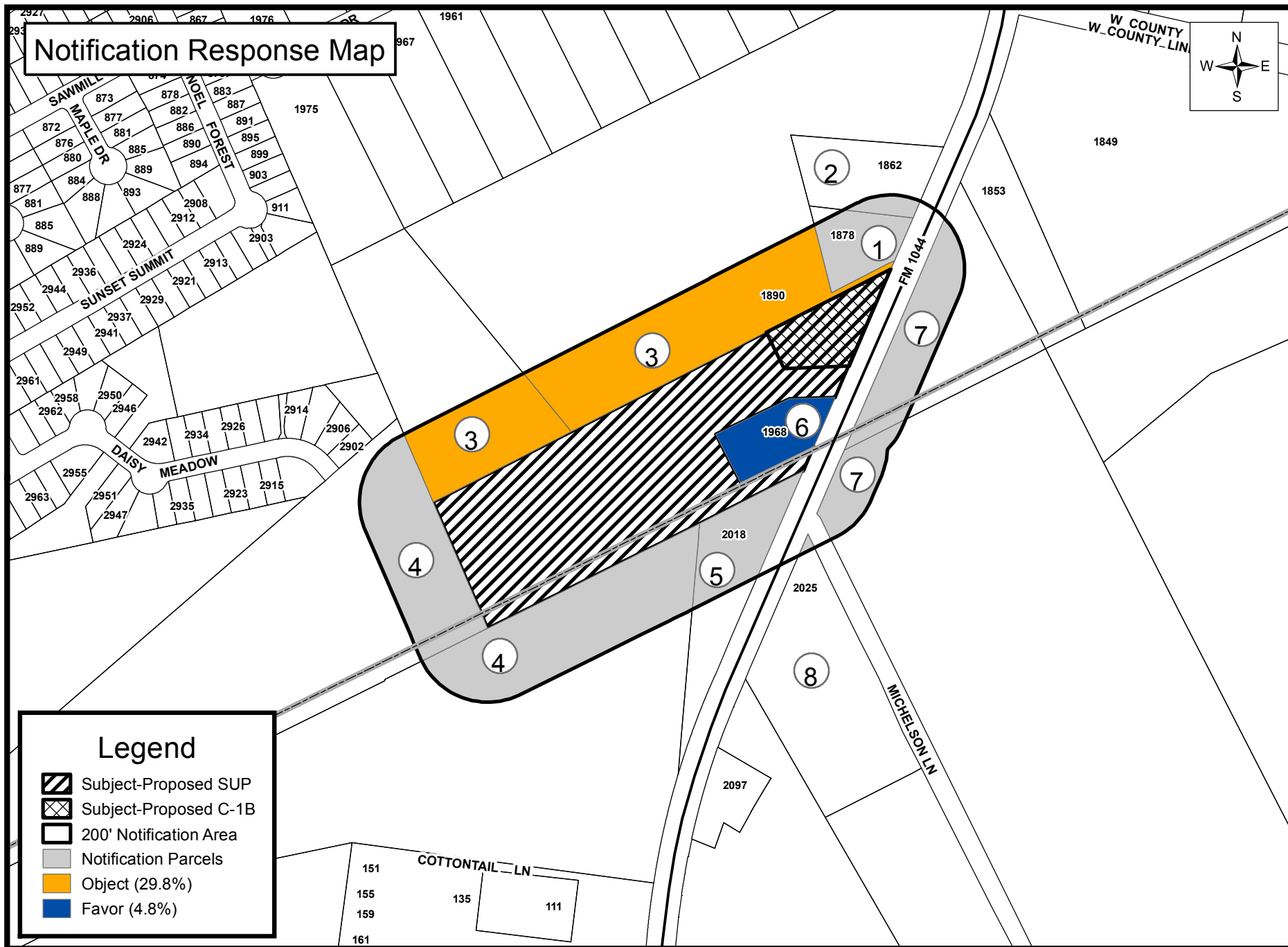
Request: Rezoning 8.33 acres from APD "Agricultural / Pre-Development District to a Special Use Permit and rezoning 1.0 acre from APD "Agricultural / Pre-Development District to "C-1B" General Business District

Case #: PZ-18-022

The circled numbers on the map correspond to the property owners listed below. All information is from the Comal Appraisal District Records. The property under consideration is marked "Subject."

1. Monroe, Sharon
2. Doyal, Rodney & Virginia McGowen
3. Kramm, Henry
4. Dirt Dealers XII Ltd.
5. Aguilar, Jose & Laura
6. Wohlfahrt, Rodger
7. Wunderlich, Sandra
8. Langen, Margaret

SEE NOTIFICATION MAP



Matt Greene

From: drsupply <drsupply@aol.com>
Sent: Tuesday, August 07, 2018 11:55 AM
To: Matt Greene
Cc: paul@walshcompanytexas.com
Subject: Case#PZ18-022

Attn Matt Greene This email concerns property #6 Rodger Ronald Wohlfahrt 1068 FM1044 We are in favor of Walsh Company plan for mini warehouses I think Paul has done a good job of trying to please all affected parties and still appears to be flexible going forward. We realize this is a dynamic process and look forward to a positive response from P&Z Thanks for your attention Ronald Wohlfahrt

Sent from my Verizon Smartphone

Michael Kramm
P.O. Box 785
Marble Falls, Texas 78654

08-02-18A 10:07 RCVD

August 1, 2018

City of New Braunfels
Planning Commission
550 Landa Street
New Braunfels, TX 78130

Re: REPLY TO NOTICE OF PUBLIC HEARING
Case # PZ18-022

City of New Braunfels:

The City of New Braunfels will be holding a Public Hearing for rezoning of the following:

- 9.33 acres out of a current 9.33 acres of land in the J Thomson Survey No. 21, Abstract 608 in Comal County, Texas and being addressed as 1938 FM 1044, New Braunfels, TX 78130.

8.33 acres of this property is requested as part of a Special Use Permit. The remaining 1 acre of land is requested to be C-1B. This case is scheduled to be heard by the Planning Commission on Tuesday, August 7, 2018 and tentatively before City Council on Monday, August 27, 2018.

WE OBJECT TO THE CITY OF NEW BRAUNFELS CHANGING THE ZONING ON THIS PROPERTY AND IMPORE THE CITY OF NEW BRAUNFELS TO DENY THE ZONING CHANGE.

We are the Owners of 25 .64 acres of land out of the J Thomson Survey No. 21, Abstract 608 in Comal County and being addressed as 1890 FM 1044, New Braunfels, TX 78130 ("Kramm Property"). We are the beneficiaries of the estate of Henry O. Kramm, deceased and this is the property where we, children of Henry O. Kramm, were raised. The 9.33 acres of land shares a common boundary with the Kramm Property for approximately 1000 feet.

The request of Mr. Paul Williams, agent for Ronald Wolfahrt is not only for rezoning; it is for variances to existing zoning for a Special Use Permit and change of zoning to C-1B Zoning Classification. It is these variances cited in Request No. 1 and even No. 2 which we are so opposed. We all rely on the zoning requirements to mutually protect each of our properties against activities which would have adverse impact on the other. We understand that even our property may not always be agricultural uses. We feel the highest and best future use of our property is residential development and want to preserve our options in the future.

Mr. Williams desires to have the authorization to place mini-warehouse buildings directly on the property line with no setback. This is not appropriate for any development and places an undue burden on the adjoining property just because Mr. Williams wants more square feet of mini-warehouse than would ordinarily be allowed. This essentially means that we ultimately be limited to some industrial or intense commercial use of our property to accept mini warehouses lined up on the common boundary line. This is an unfair control to be placed on us.

Mr. Williams desires to not place the masonry buffer wall between our two properties. This type of masonry wall, which is required, provides a minimal transition between grossly unlike uses of residential development and arguably the most intense development use (mini-warehouse). Some board fence or chain-

link or pasture fence will not be adequate to achieve a minimal transition. Otherwise, we will be saddled with placement of our own buffer zone or other transition element for residential uses just because Mr. Williams wants mini-warehouses and wants a variance from the rules and requirements.

Mr. Williams desires no masonry facade on the sides and rear of the buildings or landscape buffering which will be visible from our property. Again, a sheet metal facade is objectionable from potential houses and other future residential uses that may be proposed in the future for our property. Again, an unfair control.

Mr. Williams desires a variance to even build these mini-warehouse and self-storage units under the existing "APD" zoning which is why he needs a Special Use Permit. It itself is not allowed. Obviously, we oppose this property being developed as self-storage units or anything else for that matter which would not be compatible with residential uses. This decision by the City is discretionary to begin with but the fact that the base zoning does not even allow that use is reason enough for denial.

Buffers, fences, setbacks, masonry facades on buildings do not represent a unique or special hardship to Mr. Williams and his development. His project has no special circumstances to justify the approval of these variances in the Special Use Permit. He is not being asked to do anything that a similarly situated property with similar circumstances would be asking to do also. His only possible justification for these variances is financial gain on his part at the expense of the City of New Braunfels and his neighbors.

The Planning Commission is not compelled to approve this zoning requests as the City Council is not compelled either regardless of any reason that Mr. Williams may have for these variances. Please, do not approve the Special Use Permit or zoning of C-1B under the current proposed plan. We certainly appreciate your time and effort on this matter.

Sincerely,

Michael Kramm



Kelvin Kramm



Corrie Fey (Kramm)



#3 on Notification Map