

ORDINANCE NO. 2019-

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 THE EAST 2 FEET OF LOT 9 AND WEST 58 FEET OF LOT 10, WILLIAM HOEKE ADDITION, ADDRESSED AT 1464 HILLVIEW AVENUE; 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 the east 2 feet of Lot 9 and west 58 feet of Lot 10, William Hoeke Addition, addressed at 1464 Hillview Avenue, to allow the short term rental of a single family dwelling in the "C-3" General Business 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 the east 2 feet of Lot 9 and west 58 feet of Lot 10, William Hoeke Addition, addressed at 1464 Hillview Avenue, 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 existing driveway and proposed driveway addition must be constructed and paved prior to issuance of a short term rental permit.
2. The residential character of the property must be maintained.
3. The property will remain in compliance with the approved site plan. Any significant changes to the site plan will require a revision to the SUP.

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 14th day of January, 2019.

PASSED AND APPROVED: Second Reading this the 28th day of January, 2019.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

LEGEND:

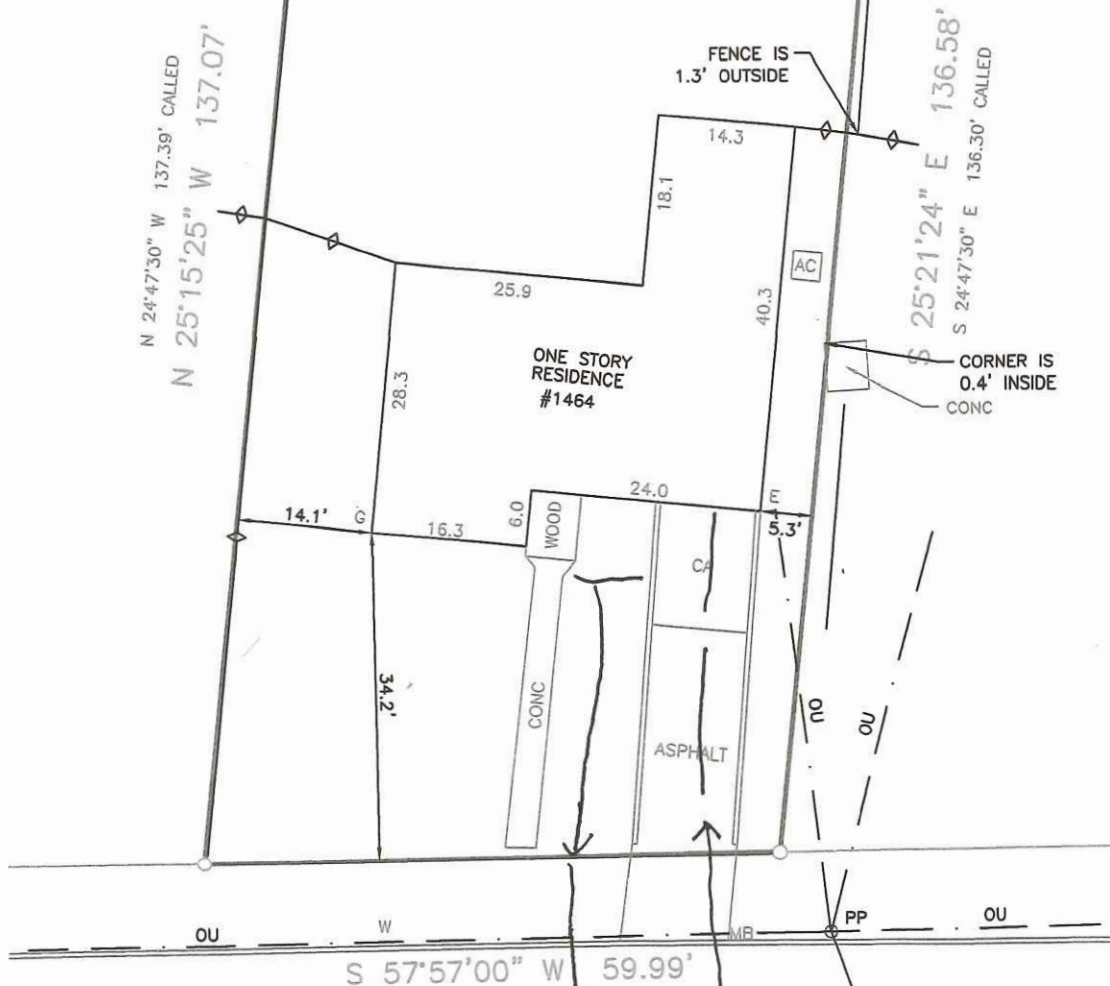
Scale: 1" = 20'

CA COVERED ASPHALT
W WATER METER BOX
E ELECTRIC METER
G GAS METER
PP POWER POLE
OU OVERHEAD UTILITIES
MB MAILBOX
AC AIR CONDITIONER
WOOD FENCE
CHAINLINK FENCE
FOUND 1/2" REBAR
FOUND V IN CONCRETE

CURVE 1
RADIUS 5930.00'
DELTA 00°34'36"
ARC 59.70'
ARC CALLED 60.1'
CHD BRG N 58°23'18" E
CHD DIST 59.70'

RANGEL
200706037003

TORRES
200606007555



REFERENCE BEARING:
OBTAINED FROM DOC. #201706005881.

ADDRESS: 1464 HILLVIEW AVE.

REFERENCES: VOL. 70, PGS. 358-359
DOC. #201706005881

EXHIBIT 'B'

NOTE: THIS SURVEY WAS DONE WITHOUT THE